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A BRIEF REVIEW  
OF THE  
SETTLEMENT OF UPPER CANADA

BY THE

U. E. LOYALISTS AND SCOTCH HIGHLANDERS,

IN 1783;

And of the grievances which

COMPELLED THE CANADAS TO HAVE RECOURSE  
TO ARMS IN DEFENCE OF THEIR  
RIGHTS AND LIBERTIES,

In the years 1837 and 1838:

TOGETHER WITH A BRIEF SKETCH OF THE  
CAMPAIGNS OF 1812, '13, '14:

With an account of the Military Executions, Burnings, and Sack-  
ings of Towns and Villages, by the British, in the  
Upper and Lower Provinces, during the

COMMOTION OF 1837 AND '38.

BY D. M'LEOD,

Major General, Patriot Army, Upper Canada.

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CLEVELAND;

PRINTED FOR THE AUTHOR, BY F. B. PENNIMAN.

1841.

THIS WORK,  
IS RESPECTFULLY DEDICATED  
TO THE FRIENDS OF CANADIAN LIBERTY,  
THROUGHOUT THE U. S.,  
BY THE  
AUTHOR.



## PREFACE.

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This work is designed for the information of those numerous generous hearted citizens of the United States, who so nobly and manfully avowed their sympathy for the oppressed Canadians, when contending against the mighty power of Great Britian, for their liberty and independence; but who from the little interest they took in the political affairs of Canada, previous to the out-break in December, 1837, are necessarily ignorant of the proportion that the Canadian grievances bear to those which urged on the American Revolution, and whether they were of the nature to warrant an appeal to arms. We feel convinced that the reader will find in perusing the following pages, that the Colonial grievances of 1776, however oppressive they might have been considered, bear no resemblance in magnitude or degree to those borne by the Canadians in 1837. Although this work does not embrace all the grievances, political and religious, which they endured, yet it exhibits enough to satisfy every candid and rational mind, that any further endurance on their part, would be impiety towards God—treason to themselves and entailing on their mouldering dust the maledictions of an enslaved posterity. They have proved unsuccessful in their first effort; but let not the friends of freedom despair; the contest only is suspended, not given up. The people are getting prepared; they will succeed as sure as the revolution of 76 succeeded. They have suf

ferred, and know the value of liberty ;—they will endure but a little longer. The propitious day is fast approaching when they will arise in their might, and with a united effort substitute the Twin Star Spangled Banner of Independence for the Royal Tyrant Standard of England—then America from the Gulf of Mexico to the Artic ocean, will form one great, whole, and happy republic. The British government, without designing it, is hastening on the great era of their birth as an independent people.

Canada must be free! With a fertility of soil and expanse of territory sufficient to maintain millions—with a people constantly gazing upon these prosperous and independent States—and oppressed as they have been, by British tyranny, they cannot long remain enslaved.—The broad ocean separates them from their oppressor, and if once free, the impregnable walls of their Quebec, the Gibraltar of America, will bid defiance to every attempt at future subjugation. We fervently cherish the hope, that the day is not far distant when the Eagle of Liberty shall soar triumphant over this vast continent,—when a vestige of tyranny will not remain, and that the first step towards this glorious consummation, will be the liberation of Canada.

From the first discovery of this continent in 1492, down to the glorious era 1776, the flags of the different European powers, who claimed different portions of it, either by right of discovery or conquest, floated undisturbed over their vast possessions, from Cape Horn to the Artic Ocean.

The only wars that arose were in the adjustment of their rival claims to territory ; and in these wars, the colonists ranged themselves according to their allegiance, with a feeling of loyalty of which that which is called the “French war” ending in 1763, with the treaty of Quebec, is a memorable example. In this war, they freely spilled their blood and treasure in the quarrel of the mother country, without any advantage to themselves, other than what they derived from their being to some extent trained to arms—an advantage they were soon destined to turn to a great account.

At the period of this treaty, Great Britain and Spain possessed, or claimed to possess, almost the entire northern continent, and, with the Portuguese, the French, and the Dutch, they divided the south-



ern portion and the islands. These vast possessions were ruled over by lieutenants, chiefly military men, and the colonists enjoyed liberty in various degrees, each bearing some analogy to the state of society amongst the people from which they sprung.

From that period to this, a period within the recollection of many now living, a change hastaken place which has no parallel in history, either in the magnitude of its conception, or in the grandeur of its results. From the time the first blood was shed at Concord, down to the present, the history of all the colonies—English, Spanish, Portuguese, French and Dutch—stretching along a continent of many thousands of miles, has been one continued scene of successful revolt; and, although, as in the case of Washington's disastrous retreat through the Jerseys, yet the glorious result has taught the world, that

“ Freedom's battle once begun,  
Bequeathed from bleeding sire to son;  
Though baffled oft, is always won ”

for in no instance have the colonists of any European power, ever sheathed the sword after having drawn it, but as independent states,

The great work, however, is not yet done. One solitary power yet lingers; one link in the great chain remains to be broken, and that too, among a people who speak the same language, and are sprung from the same stock as the Americans. Among them, however, the Patriot drum has been beaten, and the Patriot standard unfurled—but the measure of their sufferings is not yet full. Their holy aspirations after liberty have brought upon them the very *seventh vial* of the wrath of their oppressors; and like the man of Macedonia in the Apostles's vision they have stretched out their hands and cried “*come over and help us.*” As yet, however, they remain in bondage—a bondage more cruel, and enforced by an army more numerous than has been borne by any single colony on the entire continent;—although the existence of such an army among them must show beyond all question, even to the power that claims their allegiance that nothing but that can prevent them from joining the great family of Republics. Their history for the last three years has been a history of deadly wrongs and outrages, borne only because the oppressed were weak. Taxed without being represented; deprived of the right of habeas corpus—and of power over the sup-

plies ;—deprived of arms ; prevented from assembling in their townships—their best and bravest men executed or banished—a foreign soldiery quartered in their villages and hamlets ;—and arms in the hands of brutal and bloody orangemen only, while martial law supercedes the regular administration of justice. Thus, and thus only, does the last European power support itself in its last foothold on this continent, and by such unworthy means, the red cross of St George is still kept floating on the turrets of Quebe, and waves over the Canadas. The United States cannot expect peace whilst Great Britian holds possessions on her borders ; they must drive her from this land of promise. The Canadians from one extreme of the provinces to the other, hunger and thirst after liberty. They desire to be partakers of the free institutions of the U. S. Let it then be their part to dispense to them the heavenly gift,—for why should they hesitate ?



## INTRODUCTION.

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The immense natural advantages which Upper Canada possesses, for agricultural and commercial purposes, are unrivalled, perhaps, in North America. A line of water communication extending a thousand miles, and upwards, upon its frontier, and embracing a territory of a richly varied and productive soil, with a salubrious climate, offer rare facilities for successful and rapid improvement. The interior every where presents the appearance of a country peculiarly adapted to supply the wants created by civilization; and where enterprise and industry would be sure to meet an abundant reward. In addition to all these, it will, no doubt, one day, appear, that Upper Canada is rich in all the useful, if not in the most precious minerals, which now lie buried beneath the surface for want of enterprise to stimulate the search. The full development of their internal resources, and their active adaptation to the wants of a growing empire, need hardly be looked for, so long as they remain a dependent colony of manufacturing England. It being a part of the colonial policy of that country to make her foreign possessions the consumers of the surplus products of her overgrown manufactories. Such a course of proceeding is, no doubt, absolutely, necessary to support the excessive trading and manufacturing interests of Britain, and to preserve in some degree, the proper relation which ought to subsist between the parent state and the colony; and which, to some extent, might be rendered mutually beneficial. But it is so absolutely destructive of that spirit of enterprise which transforms the wilderness into fertile fields; that speeds the plough; the shuttle and the hammer; plants cities, towns and villages; paves the streets, rears the college dome and academy hall; gives life and energy to trade and commerce, by cutting artificial channels from lakes to rivers, and approximates distant places by levelling hills and raising valleys; that gives impetus to the axle, and expansive force to steam; peoples the waters with WALKING THINGS OF LIFE; and spreads the sail of commerce to every breeze, and wafts the treasures of the far

west and north to a populous and thriving emporium and depository of the nation's wealth. Do we want proof of this?—Look at Upper Canada with all its transcendent natural advantages, as it is, and by comparing with the adjacent parts of the United States. See what it ought to be, and might have been but for the fatal counteracting cause which sits like a mountain incubus upon Canadian enterprise, and paralyzes every effort, made to advance its internal prosperity.

Sixty years and upwards has elapsed since the settlement of Upper Canada commenced under the auspices and protection of the British government; during forty-nine years of which, they have had a Parliament of their own, and what has been the result?—with a territory containing millions of acres of as fertile a soil, as any on the face of the Globe, capable of producing all the necessaries, and many of the luxuries of life—watered by inn umerable streams, abounding with hydraulic privileges, and offering every facility to be desired, for the establishment of manufactories; the finest forests in the world for the ship yard, and every other purpose—the earth abounding in ores, and salt springs, sufficient, no doubt, to afford an adequate supply for the inhabitants, however numerous; and, above all, boasting of a constitution, (vain boast!) that is “the image and transcript of the Great Charter of English liberty!”—and there they are, more than a century in the rear of their republican neighbors, in all the essentials that mark the progress of improvement, and determine the state of society, and its advancement in the useful arts and sciences.

It is truly humbling to the enlightened and enterprising spirit of a British subject, to make the comparison between Ogdensburg, Watertown, Sacketts Harbor, Oswego, Rochester, Lockport, Buffalo, Cleveland and Detroit on the one side, and Prescott, Kingston, Toronto, Hamilton, St. Catherines, Niagara, Queenston, Chippewa, Malden and Sandwich on the other, with the intermediate places of lesser note on either side, and the general appearance of the country, as it respects the degree of improvement, which each side exhibits to the eye of the most causal observer. From what cause results this amazing difference between the two countries? It is not from the locality, nor the advantage derived from a superior soil, or more salubrious climate; these they possess in an equal degree. Nor is it because the Americans are naturally more enterprising or more intelligent, all things considered, than the Canadians. Then what is it, we ask again; (for the enquiry is an



important one,) that causes such marked difference, and so much to their disparagement? The answer is a plain one. The Americans govern themselves; that is, they elect all their government officers for a limited period. From the chief magistrate, to the township constable, every officer holds his power immediately from the people—from whom he is taken to exercise it; and into whose bosom he will return when his short term is out. This is the secret,—THE PEOPLE GOVERN THEMSELVES. And if you want a sample of self-government, take its result in Western New York, and compare it with U. C., which was settled about the same time. See their cities and well paved streets, populous towns, and flourishing villages;—see their colleges, seminaries, high schools, literary and scientific institutions; a common school under the immediate care of government in every neighborhood; canals, turnpikes, railroads, light houses, salt works, factories, &c. &c., with an extended and rapidly increasing commerce, yielding a revenue equal to some of the older states in Europe, and where real estate has advanced from a hundred to a thousand per cent.—Now, let us turn to look at Upper Canada;—how changed the scene and how mortifying the contrast to a high souled Englishman! A governor irresponsible to the people, fettered with instructions from a colonial office four thousand miles off,—these often imposed against the very letter and spirit of the constitutional act of the 31st. Geo. III;—a legislative Council, chosen by the King or Queen, for life, who have made themselves independent, alike of the crown and the people;—a representation worse than nominal;—the revenues squandered on worthless pensioners, Bishops and Politico-Priests;—the public lands frittered away by thousands to partizans and parasites;—three millions of acres sold to a company of land-jobbing speculators, residing in London, for forty-three cents per acre, and resold by their agents, to the poor emigrant, at five, ten and twenty-five dollars per acre. The sales of these lands per year amount to one million; every cent of which is shipped to London. Sixteen thousand dollars of the Post Office tax on letters and newspapers, pocketed by the secret manager, and the balance sent to England without the consent of the province; the annual casual and territorial revenue, amounting to nearly half a million, never accounted for;—the proceeds of the sales of the clergy reserves paid into the military chest and incorporated with the finances of Great Britain, in lieu of being appropriated to provincial purposes;—the people taxed without

their consent; the money so raised appropriated without their leave;—unequally represented in the assembly;—the laws they pray for always negatived, by that mockery of a House of Lords, the Legislative Council;—an Established church, with 15,000,000 acres or one seventh of the province as a reserve, (CANADA'S FIRST and LAST CURSE;)—their commerce restricted to the English market;—having no voice in the enacting of the laws regulating their trade;—their commercial prosperity retarded;—immigrants of wealth and influence induced to avoid their shores as a land of pestilence and famine;—the Province millions in debt;—the St. Lawrence Canal abandoned, for want of means—a dark, dismal ditch in the midst of desolation—a monument of folly and mismanagement. Toronto, with its six or eight thousand inhabitants, the seat of government, the residence of her Majesty's representative, and my Lord Chief Justice, of the Honorable and Right Reverend, and honorables without reverend, with all the sub and dishonorables, judges, counsellors, barristers, attorneys, magistrates, sheriff's mayors aldermen, &c.,—Toronto, the senior of Rochester and Buffalo, some twenty years, a foul, loathsome, disgusting capital, abounding in filthy lanes and alleys; muddy and unpaved streets, and as a whole, presents a dreary and disagreeable aspect, both from its low situation, and the mean and contemptible appearance of the buildings; generally, the contrast is so glaring, that the observer becomes disgusted with the latter, and delighted with the former.

It is a well known fact, that the better sort of British and Irish emigrants generally come by the way of New York; and in passing from thence to Upper Canada, an ample opportunity is afforded them for witnessing the unparalleled prosperity and improvement, which is every where so conspicuous on the whole route,—they naturally enquire the cause,—it is ascertained, and from the glowing descriptions they have had of Upper Canada, they expect to meet with similar results there: but the sad disappointment they are doomed to experience, is fatal to the prosperity of that ill fated country,—nine cases out of ten, they become citizens of this great republic.

Could Upper and Lower Canada show them their young cities rising up, as if by magic, among the stumps and trees; could they show them their Oswegos, Buffalos, Clevelands and Detroit—very Liverpools in miniature—together with their liberally endowed colleges, scientific and literary institutions, flourishing academies in every district, and common schools in

every neighborhood, an educated people, and above all, a government liberal in its views and measures, magnanimous and impartial in the distribution of public offices—not engendering party feuds and sectarian jealousies, but pursuing a conciliatory, dignified course by harmonizing the great whole, wisely disposing of the public revenues, developing new resources, awakening the latent energies of the people, and directing to the accomplishment of deeds of noble enterprise;—could the Canadas do this, they might boast of a population abounding in wealth and enterprise; and for which, the most prosperous of the republican states might be searched for a parallel.—Only let them have such a government, as most certainly they will, sooner or later; and we will engage that the people of Upper and Lower Canada, who are not wanting in enterprise, will soon wipe off the reproach of national indolence and stupidity:—but let the government be republican—let true genuine democratic feeling flow through every vein to the fingers end of the body politic—let the government diffuse, by its own examples and measures, a high minded national spirit into the people—let every public institution be based upon the broad principle of democracy, and all preference to any favored sect withdrawn—let it frown upon every association whose object is to disturb the peace and quiet of others, and deprive them of the free exercise of their constitutional rights;—let this be done, for done it will be, and Canada will, then become a nation, “great, glorious and free.” It is sickening to review the narrow and illiberal course, pursued by the imperial government, towards her Canada possessions, for nearly fifty years. From the instant the machinery of her government was put in operation, “corruption took the lead of every manly virtue,” and the affairs of the government daily progressed from bad to worse. The causes of this was, the irresponsible form of the government, in which, the people had no share; and a firm determination on the part of those in power to resist those salutary reforms in their institutions, which the increasing wants and intelligence of the country rendered necessary. A system of espionage and corruption, exercised on the elections, particularly at the election of Sir F. B. Head’s mock Assembly, rendered the franchise of no avail to the majority of electors. Trade ruined; public confidence destroyed; constitutional rights denied; a sham representation of the people; a mock House of Lords; a deaf and dumb executive council; an untir-



ing effort of that bane of colonial prosperity, the legislative council to crush every measure intended to redress abuses; all of which, considered, rendered their condition mean and miserable. What country under heaven not debased by total ignorance of right, liberty and justice could submit so quietly, and so long, under oppressions so grievous and intolerable?— Their petitions were frequently answered by adding occasional links to their long chain of grievances; at other times soothing them with promises, which were made, only to be broken, and, when deception, treachery and injustice had roused them to desperation, in vindication of their constitutional rights, they were hunted as beasts of prey, arraigned by sanguinary courts-martial; hung, banished, their properties burnt; women and children turned out houseless, in the dead of the winter, to beg or perish in the snow.

Such are the outlines of Canadian grievances and miseries, in the year 1837. But we are much deceived in the signs of the times there, if the Canadas are not on the eve of taking an onward and a glorious march towards liberty and independence. The sordid baseness of the sanguinary compact; the grovelling insolence of the orangemen, the injustice of half a century, the determination to maintain an irresponsible government, and the atrocious climax of the wholesale burnings and banishments, must awaken a storm, that will desolate the last fortress of despotism in North America.

## CHAPTER I.

Settlement of Upper Canada, by the U. E. Loyalists.

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Previous to the American revolution, numbers of the timid settlers, residing in the middle, northern, and eastern provinces, foreseeing the rapid approaches of an inevitable storm, and in order to avoid the horrors of a civil war, emigrated with their families to different parts of what is now called, Upper Canada. These, though they deprecated resistance to the constituted authorities, yet secretly wished well to the cause of freedom and the rights of man.

On writing back to their friends, they represented Upper Canada to be superior in soil, and as genial in climate as the land they had left, and induced hundreds to dispose of their property and seek refuge in the wilds of the north. When the revolution broke out in all the fury of civil war, hundreds more followed their example, wending their way through forests and swamps, in dread of the Indians by day, the wolves and panthers by night; enduring every species of hardship and privation. Many of them perished in the wilderness, from extreme suffering and want. During the heat and progress of the revolution, there was a certain class of unprincipled tories, who were too cowardly to serve in the ranks of the oppressors of their country, whose cause they traitorously favored, and who, like all freebooters, plundered the unoffending of either side, indiscriminately. These, as they rendered themselves obnoxious, sought an asylum in Upper Canada, to avoid the righteous vengeance of an insulted and outraged community. The descendants of these worthies constitute the bulk of what is now called the Family Compact. They inherit all the tory rancor and bitterness of their ancestors against republican principles and free institutions.

In 1783, after the ratification of peace, the royal provincial corps, raised during the sanguinary but triumphant contest, to aid the oppressor against the oppressed, were, by

a general order, marched to be disbanded, some at St. John's in the Lower, and some at Niagara, in the Upper Province. By a royal proclamation, issued some time previous to their disbandment, it was stipulated that each individual composing these corps, as well as those who otherwise assisted the royal cause, and all those remaining in the United States, who still adhered to their allegiance, and were desirous of accepting his majesty's gracious proffer, should receive grants of land—the former according to the rank each respectively held in the service, and the latter the same as the privates. To each of these, by the proclamation, was allotted two hundred acres, as a royal bounty, and another two hundred as a consideration for his services—his wife was to receive two hundred acres more, and their issue, also, as they became of age, two hundred each, whether male or female, free of all fees and charges whatsoever. How far this was adhered to by the Canadian government, will hereafter appear.

These two classes formed the first permanent settlers of Upper Canada, and were distinguished from other British emigrants, by the term of *United Empire Men*, or, as they are now generally known, U. E. Loyalists. From 1783 to 1812, the province was rapidly settling by emigrants from Europe and the United States. In 1789, the population, although very scattering, amounted to nearly sixty thousand souls. At this period, a convention of delegates from the different sections met, to take the affairs of the province into consideration. In the course of their deliberations, it was unanimously resolved to petition the Imperial Parliament to set them apart from the Lower province, and grant them a government, based on the British Constitution.

Here it may not be amiss to show the folly of those ignorant delegates, as it respects the British Constitution.—Correctly speaking, there is no such thing in existence. There is, doubtless, and has been, for ages, plenty of governing power in England; but, as to a Constitution, or supreme law, regulative of that power, there is no such thing. The British government is made up of old usages, old charters, old fictions, and old prejudices; it may



also be added, old and new corruptions—the whole, together, presenting a standing and wonderfully lasting, scheme of mystification. Examine it in the whole, or in its parts, the sign may be found, but the substance will be missing—the name, but never the thing. The key to the trick consists in lodging the whole controlling power of the state in the hands of a body of individuals, called the Commons, or representatives of the common people or working classes; but who, in fact, represent the three bodies of men living at the expense of the people, viz. holders of land: holders of real, and of false capital; and holders of office, place or pension, in the gift of the crown, either directly or indirectly. With the assembly thus composed, is lodged the power of statute-making; and the accumulation of statutes, superadded to the two old royal charters, called *Magna Charta*, and the Bill of Rights, whose few popular and not quite obsolete provisions, the irresponsible and omnipotent statute-power can abrogate or suspend, whenever they threaten to be troublesome—the accumulation of its statutes, as made, altered, and revised, to fit every exigence of the hour, is ingeniously styled the British Constitution. America's first political fathers had evidently, deeply studied the complex machinery of British government, and distinguished where the shoe pinched. The Puritans of New-England, the choice spirits of the commonwealth of the mother country, came hither determined to establish popular power in its reality. They did so; and their descendants are now enjoying the distinguished privileges of the most liberal institutions, and popular government, the ingenuity of man ever devised. How different was their opinion of the British Constitution to that of the Canadian delegates! The former preferred the rights of man in general, and acted accordingly; the latter, the corruption of the past and present ages—the rights of the privileged few to govern the mass. The one enjoy liberty, in its widest sense; the other are curtailed of all its essentials. But to return:

In 1791, the Imperial Parliament enacted the 31st Geo. III., dividing the province of Quebec, into the Upper and Lower Provinces. The same year, Gen. Simcoe was ac-

credited the first Governor of the Upper Province, with instructions to explain to the people the nature of the new constitution, which was granted agreeably to their request. In his opening speech from the throne, to their first assembly, he said: "He was the bearer of a boon, which had established the British Constitution, and all the forms which secure and maintain it, in that country;" and in closing the same session, he said, "At this juncture, I particularly recommend to you to explain to your constituents that this province is singularly blessed, not with a mutilated constitution, but with one which has stood the test of experience, and *is the very image and transcript of that of Great Britain!*"

Reposing all confidence in these glowing assurances from the Crown, the settlers vainly exulted in the possession of the British Constitution, instead of an independent republic, and under it they dreamt of all the blessings of civil and religious liberty under good and responsible government. This Constitution, so highly spoken of, as the grand result of the wisdom of successive enlightened generations, with all its supposed attractive beauties, turned out, in reality, a mere delusion, without tangibility, form, or comeliness; a jack-o-the-lantern, receding and changing its position as often as it is approached; a kind of Proteus or chameleon, assuming any shape or any color required. The colonists in vain attempted to comprehend its principles and define its limits; for like the north-eastern boundary of the United States, it was neither here, nor there, and yet presumed to be somewhere. Had these simple settlers reflected, for one moment, they would never have petitioned for the "*image and transcript*" of a constitution so extremely complex and intangible as that under which the government of Great Britain is administered. This "*image and transcript*" of the British Constitution granted to the Canadas, and which Gov. Simcoe lauded so highly, has Ireland's bane, and Canada's first and last curse, written on it in bold relief, viz. one seventh of the province, or 15,000,000 of acres, appropriated forever to an established clergy, whose members never did, nor do, and perhaps never will, number over one to ninety and nine of the

other churches, taken together. It certainly was a wickedly contrived act on the part of those who framed it, inasmuch as their own experience must have convinced them that, in the very wording of the act, "a protestant clergy" would always create serious clerical contentions.

The English Episcopal Church, being the established church of England, and the Queen its defender, has *sans ceremonie*, claimed, and without asking the people, taken possession of the whole, from the first; suapping her pious fingers in defiance of all the other christian churches, to the no small annoyance of the province. The consequence is, that pensioned hypocrites and hireling priests are daily multiplying by its means, for base political purposes. The whole history of these "*reserves*" has been, and still continues to be, one of ceaseless discord, bitterness, and angry strife. Their very title bears the imprint of a moral pestilence. There is but one voice, through the length and breadth of the province regarding them; and, if they are not speedily disposed of, to the satisfaction of the people, the sequel will yet be written in the blood of her choicest sons. As these "*reserves*" are situated, they form a great obstacle to the improvement of the province, without being productive of any corresponding advantage.

The series of political disabilities, persecutions, bloodshed and corruption which those heedless delegates entailed on themselves, their descendants, and the province, by obtaining the "*image and transcript*" of the British constitution, will cease, only when the boundary line is laid deep in the Atlantic.

After the peace of '83, a large proportion of those so tenderly and affectionately denominated the U. E. Loyalists, for fighting for a vanquished crown against a triumphant people, were, for want of means to remove, constrained, contrary to their inclination, to remain in the United States, the forsaken of both parties. It is remarkable, that the American Independence was recognised by the British government without a solitary sentence in the treaty of peace to secure their safety or protect their interests. They were unceremoniously left to the mercy of the conquerors. It seemed like an ungenerous abandonment; but the issue



proved that the new republics could not only achieve their liberty, but justly value and nobly use it. The U. E.'s were left to the mortifying and humiliating view of a revolution unparalleled in the history of the world, the success of which they labored to defeat, and the glory of which their conduct tarnished. They were thus left as the enemies of liberty, among a free people; as surviving warriors of loyalty, who had aimed wounds and death against their offspring, kindred, and friends; and they lived under these circumstances, a life of compunction, remorse, and shame, with the finger of scorn pointed, by their own children, against them, as the friends of despotism and as traitors to the cause of their country.

Immediately on Gov. Simcoe's assuming the reins of government, which was eight years after the peace, these unfortunate advocates of British supremacy wrote to Simcoe, showing him their unpleasant situation, and requesting to know what encouragement the government would give them on coming to Canada, and renewing their allegiance. A proclamation was forthwith issued, to all such, to come to the province. Grants of the finest and most fertile waste lands of the Crown, were secured to them and their children, and they were assured they should have nothing to envy in the country they were about to leave. Relying, with the most implicit confidence, on the faith and sincerity of the proclamation, they gladly accepted the overture; and abandoned the happy and prosperous country they attempted to enslave, with its free institutions, went to repose for second time beneath the congenial shade of the "*image and transcript*" of the British Constitution.

In England, they have a King, with his executive council, commonly called his Cabinet, selected from his Privy Council; a House of Lords, and a House of Commons. In Canada they have corresponding institutions, viz. a representative of the King, with an executive council, a legislative council, and House of Assembly. In operation, it was supposed that these institutions would in a manner correspond with Great Britain; and that the executive council, under oath, would as fully and freely advise the Lieut. Governor on their affairs, as the cabinet ministers in Eng-

land advised the King. This is what the "*image and transcript*" was supposed to confer for the internal management of their purely domestic affairs. It is what Simcoe announced; it was what their liberties demanded, and for want of which their liberties have dwindled away.

Under this delusion they continued till the arrival of Sir Francis Bond Head, who, even upon a superficial view of their melancholy condition, engendered by the mal-administration of successive Governors, before him, exclaimed, in one of his addresses to the people: "*The grievances of this province must be redressed; impartial justice must be administered; the people have demanded it; the King has decreed it; and I am here to execute his gracious command. Delay will only increase impatience!!*" And he has with melancholy truth portrayed their condition, as "*in population like the 'parish of Mary-le-bone;' in revenue inferior to many an English commoner; in honesty, so deficient as not to have impartial men enough to aid him in carrying on his government; and in prosperity, like a girdled tree, standing with its drooping branches, in the flourishing continent of North-America; as a bone which has been picked and sucked of its marrow; as a tree of abuse, in which wicked men have built and feathered their nests at the expense of the people; and as a beggared country, from which mechanics were seen in groups flying as from a land of pestilence and famine.*" This was his language shortly after assuming the administration. The hopes of the people, for an immediate redress of their grievances, were raised to the highest pitch. All were looking forward for better times; when, lo! a few months afterwards, he publicly announced that that they had not the British Constitution, nor its express "*image and transcript*;" that "*if they had it, it would ruin them in three months*;" that all that Gov. Simcoe had said was a hoax, a mere high sounding flourish of words; that their grievances were ideal, the mere chimeras of unprincipled demagogues!! At this sudden and unexpected announcement, the gratuitous reflections on their poverty and ignorance; his declaring that they had no real grievance to complain of, after acknowledging them in so public and

solemn a manner, and declaring his determination to redress them, astonished all classes of the community. It was soon seen that that deadly upas of Upper Canada, the curse of the American revolution, which he himself called the "bread and butter compact," had discovered his weak side, blinded his eyes, and perverted his judgment, by their deceptive admiration of his superior talents and abilities, in governing the poor, ignorant Canadians, *a la mode Anglais*. The confusion that succeeded baffles description. Meetings were held; petitions and remonstrances, from every township in the province, were forwarded, with dispatch, to the imperial government, representing the true state of their humiliating affairs, adjuring them, as they valued the connection between them and the mother country, to interpose their authority, recall Sir Francis, and redress the grievances, which had become so intolerable that the people could no longer endure them. These were answered by promoting the Knight to a Baronetcy. His vanity, after this mark of her majesty's approbation, became insufferable; all hope of an amelioration of their affairs by the British government, were scattered to the winds. Despair succeeded to hope; and there was nothing left them but to look about for another state of political existence. For they saw themselves without a responsible government—poor, wretched, girdled, pestilenced, Mary-le-boned, and bankrupt, and overrun by locusts, who were feeding on the fairest fields of the province; while, on the other hand, they beheld the Americans peacefully governed by a power delegated by the people, and periodically reverting to them for a fresh emanation; with pure and unbribed christian churches, abounding in wealth and commerce, and all that can render people happy at home, and respected abroad. The U. E. Loyalists themselves, were disappointed, and found much to envy in the country they had left.

Let those who rove in the realms of fancy, and think patriotism is merely the handmaid of loyalty; who deem that devotion to the latter, even at the sacrifice of country, will surely reward them with happiness and glory, listen to the fate of the U. E. Loyalists who survived the American revolution.



M. Burwell, in a letter to C. Cushing, Esq. of the American Congress, gives, with exultation, the following extract from Gen. Brock's proclamation, at the commencement of the late war :

"Let no man suppose that, if in this unexpected struggle, you should be compelled to yield to an overwhelming force, that the province will be eventually abandoned. *The endeared relations of its first settlers ; the intrinsic value of its commerce, and the pretensions of its rival to possess Canada, are pledges,*" &c.

The first settlers, so affectionately mentioned, were the U. E. Loyalists ; men who fought in the revolution for the King against the people ; for the despotism of a colonial office, against the liberties of their country. For this they were promised a reward in lands. And what has been their treatment ? After their services had been rendered, their "endeared relation" was forgotten, and the gift was clogged with conditions which took away all its value. Settlement duties were required to be done, to a certain extent, and within a fixed time, or the gift was to be forfeited!! The gift was first made, as earned by past *meritorious services*, and then taken away, under pretence of non-compliance with *ex-post facto* requirements. Many had not the means of complying with these conditions ; and all felt that, when they had made the expenditure on the land, it was money and labor lost without any certain or adequate return. It would be shocking, to make out a catalogue of false certificates, founded on perjury, of the performance of settlement duties, in order to evade an oppressive and ungenerous impost upon the lands of U. E. Loyalists. But thousands of these "endeared relations," finding their "gifts" impaired in value, sold them to land speculators for a trifle. After some years, when the U. E. lands had, under these circumstances, accumulated, for an almost nominal value, in the hands of speculators, the same irresponsible government, suddenly relieved all these lands from these settlement duties ; and thus, the property which those of this "endeared relation" had been coerced, by official regulation, to part with at a trifling value, were, by the repeal of those regulations, at once raised to a high

value, without encumbrance, in the hands of purchasers. Thus, a few have aggrandized immense estates, at the expense of the just claims of the U. E.'s—claims which have been impoverished by the vacillating policy of a venal, corrupt, and irresponsible government, forgetful of those "endeared relations" in their hour of need. Some, it is true, less driven than others to dispose of their claims for what they would yield, awaited the result of time. What is their condition? They must accept inferior lands, or none!! If they desire to locate in favorable and fertile townships, they are told, "These are reserved for actual settlers only;" and, if unable to leave the homesteads of their earlier days, they plead for exemption, on the ground of these "endeared relations," they are coldly repulsed, and left in mortification and chagrin, to abandon the "gift," or take it in remote parts of the wilderness—unreserved, because of little or no value.

Their fate was no better after the late war. When their services were wanted, they were talked to, as were the Indians. They were called "children of their great father across the great waters." Well,—they fought; and, at the close of the war, the Prince Regent thanked them for their valuable and highly appreciated services. They fought in that war to maintain the "right of search," and oppose "free trade and sailors' rights"—that is, the right claimed by Great Britain to board American vessels at sea, examine their papers, passengers, and crew, and then seize, take and carry away any of their fellow subjects, who, tired of a life on the ocean, were joining the tide of emigration to the western world. Right or wrong, they fought for it; and sustained, in the contest, great loss of property. They were promised that they should be paid all the losses they had sustained. And how has that pledge been fulfilled?

The war closed in 1815; and in 1836, after the lapse of upwards of twenty years, the losses were paid, after great deductions from the assessed value—and paid, too, out of their own pockets!! They, the sufferers, were obliged to tax themselves to pay a part; and the government professed to pay the rest—but not without the aid of

their casual and territorial revenue. How truly they have said, "we were promised all our losses, during the late war, but had, in the end, to pay ourselves." This was again forgetting those of an "endeared relation."



## CHAPTER II.

### Alien Bill and Clergy Reserves.

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But the most cruel cut of all, was the *detestable Alien Bill*. After twice fighting for British supremacy, they little thought they should survive to be called *aliens*! But they were coolly told, that when the independence of the United States was recognized, all, without distinction, domiciled in that country, became citizens of it, and aliens to Great Britain. The treaty of peace made no provision in their behalf; and the very nation for which they had fought, and whose cause they had espoused, at the hazard of life and fortune for eight miserable years, made them *aliens* with the same dash of the pen, which made the revolutionists *free*. Their hearts were wrung with an agony of feeling. But it was the just retribution of Heaven, to punish them, for aiding the cruel oppressor in enslaving the oppressed. Heaven smiled on the righteous efforts of the oppressed sons of freedom, and said, "BE FREE!" be happy and multiply; but to the oppressors, the enemies of liberty, and the rights of man, "Be thou in thy turn oppressed and humbled, and learn the difference between slavery and freedom."

The U. E.'s had long gloried in the name of British subjects; and were often betrayed into insulting expressions against the republicans as *aliens*. But if it was on their part a delusion, it was not without excuse. The government professed to regard them as of an "endeared relation;" the first governor, by proclamation, invited them as subjects; and in the 31st. Geo. III, a British act was passed in its tone, provisions and objects, beguiling them into the same credulity. Upon the faith of these allurements, they, as well as other American born similarly situated, settled in Canada; and performed all the duties and exercised all the rights of subjects, both in peace and in war.— They fought against the Americans as British subjects in

the last war, never dreaming, that, as aliens to Great Britain, and citizens of America, the Americans might hang them for treason. An act was passed in 1814, entitled "an act to declare certain persons therein described, aliens, and to invest their estates in his majesty" and it recited that "many persons, inhabitants of the United States of America, claiming to be subjects of his Majesty, and renewing their allegiance as such by oath, had solicited and received tracts of land from his majesty, or become seized of lands by inheritance, or otherwise, in the province, &c." From this act they could not doubt their right to leave the United States, claim to be subjects of His Majesty, renew their allegiance, if it had been suspended, hold lands and exercise the rights of subjects. They were, therefore, thunder struck, when, in 1825, they were pronounced aliens; that, as such they *could not hold lands*, and that all titles obtained by sales through them were so tainted as to be absolutely null and void; and also that, as aliens they could not exercise the elective franchise, or sit in the House of Assembly, although they had exercised those rights undisputed for thirty years. They were thrown into consternation; the province was up in arms, and nothing but the fear of their enemies and the patriotism of some of their public men, saved them from disfranchisement, and the country from ruin. This strange treatment, of inviting them there as subjects using them as such in war, and in peace making the great discovery that they were aliens, and calling into wanton dispute their political and civil rights, was rather cold evidence of their "endeared relations." Had they not much to envy in the country they left? Who can blame them for rising in arms? What rendered their circumstances the more keenly felt, was the reflection, that after all their personal efforts and sacrifices, during two wars, to maintain British supremacy; their acknowledged "endeared relations" to that supremacy, had no other effect, than finally in making them *aliens*. It was mortifying, and they felt it in the extreme. They could not, as one of them said, "look upon the morning sun, or follow its glorious course through the sky, without looking towards that prosperous family of republics, whom they, in the folly of their pride

and ignorance, labored hard and perseveringly to reduce to their own degrading state of colonial bondage, without regret and remorse." They felt that they had eaten sour grapes, and that, for their political sins, their children's teeth were set on edge. They were convinced that the only atonement they could make, was to set the example to their offspring, that "*rebellion to tyrants was obedience to God.*" They have done so, and as long as the British hold a foot of land in North America, it will never be lost sight of.— The blood of the slaughtered and strangled sons of liberty; the tears of widows and orphans, the anguish of those doomed to chains and slavery, in far foreign lands, the sufferings of banished exiles in foreign climes; with the sighs of their "endeared relations" in the Canadas, all cry aloud to Heaven for vengeance. The storm may appear hushed for the present, but it is the ominous calm preceding a violent and desolating hurricane. The day of retribution will come, and woe to him who dare resist it.

The reader will bear in mind that Simcoe was appointed the first governor of Upper Canada, and of whom it may be truly said, that he was the best they ever had. The constitutional act of which he was both the bearer and the first administrator, had embodied in it, as he fairly saw, the bane of Canada's future peace and happiness, viz: an established clergy appropriation. Some years previous to the division of the province of Quebec, into the upper and lower province, the Surveyor General had orders from the home government, to lay out the Upper province into districts; these into counties; the counties into townships of ten miles square; and these again into concessions, containing a certain number of 200 acre lots. The patents granted for the lands thus surveyed, have all the mines they might contain, and the white pine which grew on them, reserved for the use of the crown. Gov. Simcoe, on assuming the administration advertised those of the old settlers, who had received patents for their lands, that it was highly necessary that they should forthwith, apply to the proper office for new ones having the new great seal of the upper province attached to them. They did so. But what was their surprise, and that of the U. E. Loyalists in particular, who were promised



their lands free from all encumbrances, when in addition to the former crown reserves, they found *one-seventh of their farms appropriated for Clergy Reserves!*

The feelings engendered by this unexpected, high handed clergy clog, were any thing but friendly to the new constitution; meetings were held, resolutions were adopted in 1797, of which the following are extracts.

“That the union of the church with the state affairs in this province, is subversive of the true interests of both, and contrary to the express declaration of the Saviour, who said his kingdom was not of this world.

“That no civil government has any right to interfere between man and his Maker, by imposing on him any mode of worship, whether in accordance with the dictates of his conscience or not.

“That the endowments of any church with one seventh of the lands of this magnificent province, is detrimental to the interests of religion, the settlement of this country, an infringement upon the just rights and privileges of the population, subversive of its future peace and happiness, and contrary to the declared wishes of its inhabitants.”

Such were the sentiments entertained, at this early period of the government, towards an established clergy. Simcoe advised the home government, of the bad feeling created by this ill advised appropriation; and ardently recommended a different disposition of it, as the peace and future welfare of the province required it. He was directed to reserve every seventh lot or concession in lieu of the one seventh of every lot. The inhabitants considered this some relief: yet the idea of imposing on them a clergy establishment, with an appropriation in any shape or manner, was highly galling to their feelings. In 1797 they forwarded a petition to the Imperial government, requesting, the reserves set apart, by the constitution, to be disposed of for the purpose of general education,—that an established church, if persisted in, would kindle party strife, and religious jealousies, and animosities, and finally terminate in open rebellion. This was answered by another appropriation of half a million of acres of the people's property for the support of a grammar school in each district, and an es-

established church college, for the instruction of the youth in the faith and doctrines of the King's church.

The next grievance that succeeded, was the legitimate offspring of the former. The English church being thus established, by the constitution, it was enacted that marriages performed by any minister, not of the established order, should be, to all intents and purposes void, and the issue illegitimate; and the minister officiating, should on conviction, be liable to fine, imprisonment, or banishment, at the discretion of the court.

On the first establishment, or settlement of the province, the favorite clergy were so few and far between, that the government, to suit the convenience of the settlers, empowered magistrates, not residing within eighteen miles of an established clergyman, to perform that duty; but rather than encourage the former, whose creed they did not profess; or employ the latter, who were generally half pay Officers, and men of rather easy morals, hundreds of them, adopted the only alternative, crossed into the United States with the minister of their own profession, and there were married, according to the ceremony of their respective churches. Nor are Dissenters, even, now, permitted to marry their own members, until they prove their ordination, obtain a license and certificate of their qualifications, from that most miserable of all courts, the magistrates in Quarter Sessions, assembled. These courts are admitted, by all who ever witnessed their proceedings, to be the *ne plus ultra* of bigotry, and ignorance. Many of the magistrates, until lately, could hardly make their mark; yet they are the learned body whom the legislature appointed to pronounce upon the qualifications of learned Dissenting ministers! Another serious evil arising from the same source, is, that while the government grants a salary of 400 dollars per annum to the teachers of the few district grammar schools, none but professed members of the established church are allowed to officiate! And, until Gov. Colbourne's administration, none but a clergyman of that church, was permitted to officiate as chaplain to the Assembly; nor was any ever allowed to perform the duties of an executive or legislative councilman, but members of the same church. A con-

nection with it was the only passport to offices of trust, honor or emolument. Their clergymen were, besides their respective portions of emoluments arising from the 15,000,-000 clergy reserves, paid by the home government eight hundred dollars each, yearly, for officiating once a week, if the weather would permit his reverence to ride in a cushioned buggy to church, while the ministers of the Scotch established Kirk, Presbyterian dissenters, Methodists, Baptists, &c., were allowed nothing. Yet, although these dissenting ministers, in their knowledge, morality, and usefulness, were admitted to be as far superior to the state paid clergy, as the light of reason is to the darkness of ignorance, they were nevertheless compelled to undergo the degrading ordeal of a mock theological examination, before a court of Quarter Sessions, of half pay officers and others, as ignorant as they are illiterate. This is a part of the blessed effect of an established church—a sore and crying evil.

During the succeeding administrations of Gov's. Russel, Hunter and Gore, the affairs of the province, as each succeeded the other, assumed a still more serious and decisive character. Restrictive and oppressive measures abounded. Taxes were levied on square logged and framed houses, brick and stone houses, and chimneys; on cultivated and uncultivated lands of resident holders, while non-residents were exempt; on horned cattle, and horses two years old, pleasure wagons of every description, grist and saw mills, &c., besides county and district taxes. In fact every thing of any importance was taxed, that would bear being so. The choice of the public lands were frittered away in thousands of acres to executive and legislative councillors, and to hungry, worthless minions in and out of office.—Even Gov. Russel granted to himself "Peter Russel, Esq." *ten thousand acres* of the waste lands of the crown. Public functionaries sought only the means of their own aggrandizement in the oppression of the poor settlers. A principle of sordid grasping was manifested in every department. The policy pursued by the executive in the exercise of their patronage in the disposal of offices and crowns, exercised a corrupting downward influence. The



stream was poisoned at the fount. From the governor, to the lowest functionary, all was unmitigated selfishness. The more respectable class of emigrants crossed the line soon after their arrival in the province, and the expectations of those who hoped to see their adopted country filled with a hardy, enterprising and industrious population, backed by men of capital and skill, whereby the resources of the province might be developed, were cruelly disappointed.

The scandalous abuses which existed in the Land granting department, arrived to such a pitch of monstrous magnitude that the home government felt itself imperiously called upon to interpose with the Land council. In fact, the corruptions, and system of patronage and favoritism pursued in Gov. Gore's administration, arrived to such a degree of profligacy, that no part of the British empire, however corrupt, ever witnessed the like.

The poor Scotch Highlanders, who in 1797, 8 and 9 were driven, by distress from the land and home of their forefathers, and to whom portions of land were promised, could not, in consequence of their distant location from the older settlements, want of roads, the poverty of the settlers who could not employ or furnish them with the means to improve their grounds, derive any benefit from them.— Hundreds crossed the St. Lawrence to gain a livelihood on easier terms. Their descendents are now wealthy citizens, many of them filling offices of honor and emolument under the best and happiest government in the world. The legislature, in place of encouraging settlers, by expending the public moneys, on opening roads and lines of communication between the newly surveyed townships and the old frontier settlements, sought only plausible pretensions, to apply them to their own selfish purposes.— The revenues of the province were altogether unaccounted for; the settlers left to make their own roads as best they could. And as they advanced by their industry, from poverty to competence, government taxed them accordingly. Their commerce was restricted to the home market; heavy taxes imposed on every foreign article, tea, sugar, coffee, salt, raw and manufactured iron, molasses and liquors of every description. Large sums were thus annually raised,

aswell by other local taxation, which were neither correctly accounted for, nor judiciously expended. Mr. Weeks, a liberal member of the Assembly, was shot, for insisting on a responsible government. Mr. Wilcox, editor of a liberal paper, for exposing the barefaced corruptions of men in office, was compelled to abscond. The people's affection to the government was fast decaying, for their petitions were unnoticed or disregarded; their grievances increased each succeeding year; their country, fertile in soil, abounding in natural resources—was prostrated and ruined by ruthless minions, whose places in office gave power to oppress. Thus the affairs of the province progressed from bad to worse, until the declaration of war in June, 1812. War, at best, is looked upon as the greatest calamity that can befall any nation, but at this particular crisis, it was hailed by a great majority of the Upper Province, as the harbinger of their final deliverance from colonial misrule and oppression.

Sir George Provost, Governor General, and Commander in Chief of British North America, at this eventful period, being well aware of the defection of the majority in both provinces, issued a proclamation, promising, at the termination of the war, grants of land to all who should voluntarily turn out in defence of his majesty's crown and dignity, a redress of all real or supposed grievances, a full compensation for any loss they might sustain during the unequal contest—a pension during life to those who should receive wounds or be otherwise disabled. This had a considerable effect on the French Canadians. But when the war was over, the object obtained, and their services no longer required, these sounding promises, were as usual, soon forgotten, and the poor *habitans* left to chew the cud of disappointment. A similar proclamation was addressed by General Sir Isaac Brock, to the subjects of the Province of Upper Canada, which, (except upon the Glengarry Scotch Highlanders,) made little or no impression on the Upper, Anglo Canadians, whose defection was too deeply rooted to be easily removed.

### CHAPTER III.

#### Glengarry, and its settlement by the Highlanders.

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It may not, perhaps, be amiss, in this place, to give the reader a brief history of the settlement of Glengarry, by these once exiled Highlanders.

Shortly after the defeat of the Chevalier Prince Charles Edward, at the memorable battle of Culloden, on the 16th April, 1746, where the Highland claymore, for the first time, proved ineffectual against the bayonet and superior discipline; and all hopes of rallying the routed clans was given up, the Prince, after a consultation, deemed it necessary to dismiss his remaining faithful adherents, with orders to disperse by different ways, that their enemies might be baffled by the variety of their routes. Hundreds, rather than trust to the clemency of their enemies, of which they had had a dreadful example, in the indiscriminate slaughter of men, women, and children, for thirty miles square, repaired, with all possible secrecy, to the different seaports, and there embarked for the American colonies. On their arrival, they sought out the settlements of their proscribed countrymen, the patriots of 1715, and there settled; some in the province of New-York, and others in the colony of Virginia.

In a few years, after the fury of the royalists ceased, and neighbor began to repose confidence in neighbor; the celebrated heroine, Flora McDonald, and her gallant husband, embarked for the latter place, to spend the remainder of a singularly chequered and romantic life with her exiled countrymen, in the bosom of the gigantic forests of America. Previous to their embarking, (on account of her unexampled faithfulness, unshaken and virtuous adherence, thro' good and evil report, in concealing and conducting through dangers and perils almost incredible, the hunted and persecuted Prince, for whom, by a royal proclamation, thirty thousand pounds was offered,) in approbation of such heroic conduct, the reigning family conferred upon her several

tokens of the royal favor, for which she proved grateful ever afterwards. When the revolution broke out, in all the violence of civil war, her husband, in consequence of advanced age, and the personal obligation they were under to the royal House of Hanover, urged her return with him to Scotland, to enjoy the sere of life in peace and quietness. She complied. But a little prior to their departure, she called upon her exiled countrymen for the last time, and in the most affectionate manner, enjoined them to remain neutral, if possible; but if compelled to bear arms on either side, by all means, to throw the weight of their good broad swords in the scales of freedom; for, said she, "heaven will, ultimately, crown with success, if their hearts and energies fail not, the heroic efforts of the assertors of their country's rights; especially, as in the present instance, when armed with justice and truth." They understood her well, and with heart and soul, embraced the cause of the oppressed sons of liberty; of whom the chivalric M'Donald's deeds of valor and daring exploits, are indelibly recorded in the pages of the revolution. The gallant Monroes, Mathesons, Mac Kays, and Gunns, also convinced the British in many a hard fought battle, that their martial ardor was not quite extinguished in the bloody field of Culloden. The descendants of these hardy exiles, are at this day classed among the most reputable citizens of Virginia.

But their copatriots, who settled in the colony of New York, were not so fortunate in their determination. Gen. Howe, the then commander in chief of the British forces in North America, on hearing that the Scots in Virginia had joined the continentals, and were among the most active of the opposers of British domination, despatched Sir John Johnstone to the Scots settlement on the Mohawk—Capt. James Craig, afterwards Governor of Lower Canada, and Lieut. Donald Cameron of the Regulars, to other parts, to induce the Highlanders to join the Royal standard, and to convince them, that their interest and safety depended on their doing so.

They persuaded the uninstructed Highlanders, that the rebels had neither money, means, nor allies; that it was impossible they could for any length of time, withstand the



mighty power and means of Great Britain; that their property would be confiscated, and apportioned to the loyalists who should volunteer to reduce them to subjection. The Highlanders having duly weighed these circumstances, came to the conclusion, that the Americans would, like the Scots, in 1746, be ultimately overpowered;—that it was, therefore, to their interest, as they would not be permitted to remain neutral, to join the British standard.

The greater part of them volunteered under the command of Sir J. Johnstone, and served faithfully with him until the peace of 1783. On the exchange of the ratification of peace, these unfortunate Highlanders, saw themselves once more bereft of house and home. The reward of their loyalty, and attachment to British supremacy, after fighting the battles of England for seven long and doubtful years, and sacrificing their all, was finally, an ungenerous abandonment by the British government of their interests, in not securing their property and personal safety, in the treaty of peace. The object for which their services were required, not being accomplished, they were unceremoniously left to shift for themselves in the lower Province, among a race of people, whose language they did not understand, and whose manners and habits of life were quite dissimilar to their own. Col. McDonald, a near kinsman of the chief of that name, and who had, also, taken an active part in the royal army, during the revolution, commiserating their unfortunate condition, collected them together, and in a friendly manner, in their own native language, informed them, that if it were agreeable to their wishes, he would forthwith apply to the governor for a tract of land in the upper Province, where they might settle down in a body; and where, as they spoke a language different to that of the natives, they might enjoy their own society, and be better able to assist each other.

This, above all things, was what they wished for, and they therefore received the proposal with gratitude. Without much farther delay, the Colonel proceeded to the upper Province, pitched upon the eastern part of the eastern District; and after choosing a location for himself, directed his course to head quarters—informed the Governor of his

plans and intentions, praying him to confirm the request of his countrymen, and prevent their return to the United States.

The governor approved of his design, and promised every assistance. Satisfied that all was done, that could reasonably be expected, the Colonel lost no time, in communicating the result of his mission to his expectant countrymen; and they, in a short time afterwards, removed with him to their new location. The Highlanders, not long after, proposed to the Colonel as a mark of their approbation for his services, to call the settlement *Glengarry*, in honor of the chief of his clan, by which name it is distinguished to this day. It may be proper, to remember, in this place, that many of these were the immediate descendants of the proscribed Highlanders of 1715, and not a few the descendants of the relatives of the treacherously murdered clans of Glencoe (for their faithful and incorruptible adherence, to the royal family of Stuart,) by King William the 3d, of Bloody memory, the Dutch defender of the English christian tory faith. But by far the major part, were the patriots of 1746,—the gallant supporters of the deeply lamented Prince Charles Edward, and who, as before stated, had sought refuge in the colonies, from the British dungeons and bloody scaffolds.

It was not, therefore, their attachment to the British crown, nor their love of British institutions, that induced them to take up arms against the Americans; but their fears that the insurrection, would prove as disastrous to the sons of Liberty, as the Rebellion and the fatal field of Culloden had been to themselves; and that if any of them were found in the ranks of the discontented, they would be more severely dealt with in consequence of their former rebellion. Their chagrin was great indeed, especially, when they compared their former comfortable circumstances, in the state of New York, with their present miserable condition; and particularly, when they reflected how foolishly they had permitted themselves to be duped, out of their once happy homes by the promises of a government, which they knew from former experience, to be as false and treacherous, as it was cruel and overbearing. They settled down, but with no very

friendly feelings towards a government which had allured them to their ruin, and which at last, left them to their own resources, after fighting their battles for eight sanguinary years. Nor are their descendants, at this day, remarkable for either their loyalty, or attachment, to the reigning family. These were the first settlers of Glengarry. It is a singular circumstance, that, nearly all the Highlanders, who fought for liberty and independence, and who remained in the U. S., afterwards became rich and independent, while on the other hand, with a very few exceptions, every individual, whether American or European, who took up arms against the revolution, became blighted in his prospects. Witness the U. E. Loyalists of Upper Canada; the refugees of New Brunswick and Nova Scotia. It seems, as if, a curse had been entailed upon them and their children.

The second class of Highland emigrants that settled in Glengarry, although of another description, were as much harrassed and as much the dupes of the British government, as the former. Immediately after the battle of Culloden, the feudal system, which in the highlands of Scotland, was based on the mutual interest of the chieftain and vassal, being then entirely dissolved, the highland chief saw no reason why he should any longer keep up his pride by retaining a numerous clan. He, therefore, determined, to rid himself of his poor dependants and let his premises to a more productive class of tenantry. It was not, therefore, uncommon to see from one to two hundred families turned adrift, and the farms which they had occupied, converted into one sheep walk, for the accomodation of a southern shepherd; or, as it was termed in the country, a hundred and fifty or two hundred Highland smokes going through one English chimney. The poor people were thus dispossessed of their small farms, and compelled to dispose of their stock for little or nothing, because there were no persons to purchase, but those who supplanted them. In this distressed situation they were cast on the world. Ignorant of any other language, but their own native Gaelic, and never having travelled beyond the limits of their native vallies; they were perfect strangers to the ways and manners of the world. The few that could muster means to pay their

passage to America, whither they were desirous to emigrate were afraid to venture on the sea.

The British cruisers and ships of war had positive orders from the Admiralty to prevent the departure of emigrants from the higlands of Scotland, and to press such able bodied men as they found on board the emigrant ships. These orders were carried into execution, and hundreds of them, who were foolhardy enough to venture on the ocean, were pressed, half seas across,—the father and husband, forcibly separated forever from the wife and children; the widow's son, the solace and stay of his mother, dragged from her maternal arms. On the arrival of this news, the Highlanders no longer attempted to emigrate; they wandered through the lowlands for employment, but could find little in consequence of their not understanding the English language. In this deplorable situation, the reverend and philanthropic Alexander McDonell of the Roman Catholic church, found them as sheep without a shepherd, and as strangers in their native country. Affected by their distressed circumstances, he conceived the idea of getting them embodied as Fencible corps in his majesty's service, with the young chief McDonell of Glengarry, for their Colonel. A letter of service was accordingly issued to raise the regiment. It was no sooner embodied, than the rebellion in Ireland broke out. The English government, true to their motto; "divide and conquer," knowing this regiment to be entirely composed of catholics, ordered them to that unfortunate country, to imbrue their hands, in their brother catholic's blood, and assist in annihilating the last vestige of Irish liberty. These Highlanders, whom the Irish called the devil's bloodhounds, both on account of their dress, and habit of climbing and traversing the mountains, had greatly the advantage in every rencontre; so much so, that they reduced in a few months, the brave Holt's independent Irishmen, from a thousand strong, to a few scores. Holt, seeing his numbers so fast diminishing, surrendered to Lord Powerscourt, and was transported to Botany Bay. Dwyer, another Irish chieftan, after almost his whole party had been killed or taken, was at length surprised in a house, with a few of his remaining followers, by a party of the Glengarries;—



Here, he defended himself, and killed some of his pursuers, till the house being set on fire, he was shot while endeavoring to escape, naked through the flames.

The Marquis Cornwallis, Lord Lieutenant of Ireland, and commander of the forces, was so well pleased with the services of the Glengarry Fencibles, that he recommended them to the particular notice of the British Government.— But mark, when the object of their enlistment was accomplished, and government had no farther need of their services, these brave men were disbanded, with a bare thank ye ! “What,” said one of these gallant sons of the mountains, “is, ‘thank ye,’ all the reward we are to receive for assisting to reduce the patriot Irish catholics to English subjection ? It may do very well for an Englishman, but it is not bread for a Highlander.”

Thus they were again thrown on the world, but with their English a little improved, as poor and destitute as ever. Struck, a second time, with their forlorn condition, the Reverend and humane Priest, McDonell proceeded at his own expense to London, to represent their destitute situation to the government, and to endeavor to induce the ministers to lend them assistance to emigrate to Upper Canada, where many of their friends were already settled. Mr. Addington, the then Premier, expressed his deep regret, that so brave and faithful a portion of his majesty’s subjects, who had so distinguished themselves in their country’s service, and from whom no murmurs or discontent were ever heard; should be compelled to quit their native soil by the harsh treatment of the government, and transfer their allegiance to the United States ;—and promised that assistance would be granted them to proceed to Nova Scotia, New Brunswick or Cape Breton ; but assured the Rev. McDonell that his majesty’s government considered the hold they had of Upper Canada, “*so slender and so precarious, that he did not feel himself at liberty to assist British subjects to emigrate to that colony.*” The priest replied, that if assistance were tendered upon a liberal scale, it would allay the irritated feelings entertained by the Highlanders against their landlords, whose cruel conduct was identified with the system and operation of the government. More-

over, the Scots quitting their country in this exasperated state, and settling in the United States, readily imbibed republican principles, and a determined antipathy to the British government ; whereas, by diverting the tide of emigration into the British colonies, their population would be increased, and their affections might be reconciled, by the parental conduct of the government towards them. Mr. Addington at length procured for him an order, with the sign manual, to the Lieut. Gov. of Upper Canada, to grant 200 acres of land to every one of them who should arrive in the province. This was no sooner known, than the Highland Chiefs took the alarm, and considered this offer as an allurement to entice their vassals away. They procured an act of Parliament against emigration, partially compelling the Highlanders to enlist in the regular service. They represented in strong terms the loss his majesty's would sustain by permitting them to emigrate in their exasperated state, that they would become citizens of the United States, and deadly enemies to the British government. Fortunately, however, before the bill went into operation, the Rev. Mr. McDonell procured shipping for a number of them.— On their arrival at Quebec they proceeded immediately to their friends in Glengarry, where they settled down with as little of friendly feeling towards the British, as the first settlers had, and with the exception of a few in office, their descendants are not remarkable for their loyalty to this day.

## CHAPTER IV.

### War of 1812.

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We will now return to the war of 1812, and show its progressive effects on the people of the Upper Province.

The principal grounds of this war, as set forth in President Madison's message, were certainly as urgent as they were honorable, viz: "Sailors' rights and free trade." Had the government of the United States, in the prosecution of the war, been supported by the united energies of the nation, as it ought to have been, the object for which it was undertaken would most unquestionably have been attained; and Canada would have become free and independent.—The want of energetic leaders in the American army, at the onset, was deeply regretted by the oppressed Canadians.

Sir George Provost, Governor General of British North-America, on receiving the official account of the declaration of war, was taken by surprise. However, without the least delay he exerted every possible means to place the Provinces in as defensible a position as the suddenness of the notice and his limited means would admit. He addressed a circular to the Roman Catholic Bishops of the Lower Province, reminding them, in the most expressive language, of the great and undisturbed religious privileges they had enjoyed under the benign influence of the British government, and solemnly pledged himself that the Royal favor would be more munificently extended towards them in the event of their exerting their pastoral influence with the clergy and laity, in support of the Crown and the defence of the country against the invasion of the enemy. These circulars, in a great measure, had the desired effect. Another letter was written to Priest M'Donell, of Glengarry, urging him, in the strongest manner, to arouse the military enthusiasm of his warlike countrymen, and assure them that his Majesty placed the utmost confidence in their loyal attachment to his Crown and royal person. This reverend divine, who was himself of a military turn, addressed the High-

landers, immediately after mass, calling on their loyalty, and reminding them of the military renown and achievements of their countrymen in every quarter of the globe. He said that he was sure the spirit of their ancestors would stimulate them in defence of their country, to rival them in deeds of heroism ; that they might depend upon his Majesty's government amply rewarding them on the restoration of peace, with grants of lands, and pensions for life to those who should be disabled in the service. This address made considerable impression on the minds of the youths, but not on their aged and more experienced sires, who had on a similar occasion, and by similar promises, been duped to their ruin. These convinced the young Highlanders, from their own knowledge and experience, that British promises, on every similar occasion, were used as unsparingly as the fowler's chaff.

In the mean time, the martial priest, reckoning on the impression supposed to have been made, wrote to Sir George Provost, proposing to raise a fencible regiment of these young men for the defence of the Province, which was readily accepted ; but before orders could be issued to raise the corps the military ardor of the young Glengarrigans had evaporated like the morning dew. It was therefore deemed advisable to recruit somewhere else.

From the trepanning exertions of the recruiting parties, selected from different regiments in both Provinces, the Glengarry Fencibles were soon filled up with runaway sailors, English, Irish, Dutch, Americans, Canadians, and a sprinkling of Africans, with a considerable portion of broken-down raftsmen. Nevertheless, they fought bravely and suffered severely during the war. With the exception of the commissioned officers, very few of the Highlanders enlisted. Such were the materials which composed this celebrated corps, and such the state of feeling in Glengarry at the commencement of the war, which was by no means remarkable for stern loyalty or confidence in British promises. Yet the reader will find the scene changed before the war was over ; owing altogether to the indifference of the American general officers in not pursuing with energy the many advantages they had acquired in the Upper Province.

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In the upper districts of the Province hundreds of young able-bodied men secretly, and *many openly*, formed themselves into companies to join the American army. So sanguine were they in the faith of their immediate deliverance that they absolutely declined doing any kind of duty, civil or military, under the colonial authorities. But in consequence of Gen. Hull's disgraceful surrender, they were doomed to pay severely for their contumacy.

When he entered the Province at the head of 2,500 men, the expectations of the republican party were raised to the highest pitch. Hundreds joined him. At Sandwich he issued a proclamation to the inhabitants in the following words: "Separated by an immense ocean and an extensive wilderness from Great Britain, you have no participation in its councils—no interest in her conduct. You have felt her tyranny; you have seen her injustice. Many of your fathers fought for the freedom and independence we now enjoy. Being children, therefore, of the same family with us, and heirs to the same heritage, the arrival of an army of friends must be hailed by you with a cordial welcome. You will be emancipated from tyranny and oppression, and restored to the dignified station of freemen. Had I any doubt of eventual success, I might ask your assistance; but I do not. I come prepared for every contingency. I have a force which will break down all opposition; and that force is but the vanguard of one much greater." This proclamation equals any of the bulletins of Bounaparte, and had it been followed up with spirit and determination, Hull's memory would have been cherished by the Canadians and their posterity to the end of time, as the Washington and deliverer of Upper Canada. But, in place of advancing into the interior, and availing himself of the friendly disposition of the people, after blustering and parading for a few days about Sandwich, to the sad disappointment of the Canadians, and the astonishment of his troops, he ordered, for some reason never explained, a retreat to Detroit, and not long afterwards surrendered disgracefully as prisoners of war, to an inferior force under Gen. Brock, as fine and brave an army as was ever raised in America.—After the prisoners had stacked their arms, and were pass-

ing in review before Gen. Brock, he remarked to one of his aids, "What a noble looking set of prisoners." "Yes," replied a lieutenant or captain Hull, one of the prisoners, "and by G—d we are ignobly disgraced by a d—d old fool." Some of the men, swearing with rage, and others weeping with a like passion, their mortifying situation affected Gen. Brock, than whom a more tender or noble hearted officer never breathed.

When this unexpected news spread through the Province, the drooping spirits of the government party were raised as high as the spirits of the friends of republican institutions were lowered. Those who formerly refused doing duty under the colonial authorities, were immediately afterwards imprisoned. The guard-houses and jails were filled till they could hold no more. Those, also, who embodied themselves to join the American standard, on hearing the unfortunate news dispersed instantly. Seven of them were hung at Burlington heights, and many made their escape.

Such was the result of Gen. Hull's invasion of Upper Canada at the commencement of the war.

On the morning of the 13th of October following the above inglorious affair, Gen. Van Rensselaer, with a column of a thousand strong, crossed from Lewiston, and after a sharp but short contest carried Queenston heights in gallant style. But a British reinforcement, under the command of Gen. Sheaffe having arrived, the fortune of the day was changed, and the heights retaken after a sanguinary conflict of some duration, in which the American army displayed great bravery, and much personal courage; but their discipline was rather deficient. Seven hundred and fifty surrendered as prisoners, besides the killed and wounded. The British loss in killed and wounded was great. Gen. Brock, the idol of the Canadian army, fell early in the action. Col. McDonald, his provincial aid, one of the descendants of Prince Charles Edward's adherents fell also.

The result of this affair convinced the British they had to contend for the future with no ordinary marksmen—that discipline, and not courage, was the only thing lacking in the American army. This ended the campaign of 1812.

After the successful termination of this engagement the loyalists of both Provinces became almost frantic with joy, while despair took hold of the friends of republican institutions. In proportion as the British army proved victorious, the government officers became insolent, cruel, and oppressive. Every person suspected was disarmed. Hundreds left their families and properties and escaped to the United States, to avoid being drafted to serve in the militia. During the winter months great preparations were being made for an early campaign. Recruiting parties were got up in every section of the Province. Volunteers were called for. Scarcely any would turn out. With great exertions one regiment of militia was incorporated.

On the morning of the 24th of February, 1813, the garrison at Ogdensburgh, commanded by Maj. Forsyth of the United States army, was suddenly attacked, and after a short but desperate resistance was carried by the Glengarries and several other detachments under the command of Lieut. Col. M'Donell. The Glengarries and militia suffered severely from the well pointed guns of the enemy. The capture of this fort secured to the British the safe navigation of the St. Lawrence to Kingston.

But a little after this affair, the most treacherously cruel and cold blooded wholesale murder was perpetrated by the Indians under the control of the savage Gen. Proctor, at Frenchtown, River Raisin, that ever disgraced the arms of any nation, civilized or savage. It was thus. A British force, consisting of four hundred regulars and six hundred Indian warriors from Detroit and Malden, under the immediate direction of Gen. Proctor, surprised, on the morning of the 22d of January, the advance of Gen. Harrison's army, amounting to about five hundred Kentuckians, commanded by Gen. Winchester. Yet notwithstanding the advantages the British had, by choosing their own mode of attack, the keen-eyed Kentuckians fought with a determination which scattered death and destruction with an unsparing hand in the ranks of the British; but their want of discipline proved their ruin. Neglecting, from the suddenness of the attack, to secure their flanks from enfilade, they were surrounded. Still, they fought, each one intent only on

killing a red coat or a painted face. The yell of the Indians was answered by the deadly crack of the Kentucky rifle. The work of death for a few minutes on both sides was truly terrifying. The gallant Gen. Winchester, on seeing his devoted band completely surrounded by the savages, the men dropping at a fearful rate on his right and left, front and rear, and no way to escape, proposed to surrender on condition of securing the lives and property of the privates from the savages, and permitting the officers to retain their side-arms. This was readily and gladly granted by Gen. Proctor, who was himself reduced by the deadly fire of the Kentuckians to that state that he could not hold out much longer. The havoc committed on his ranks was dreadful ; and the sense of his loss in killed and wounded roused his savage temper till it got the better of his judgment. Gen. Winchester had no sooner surrendered than Proctor retired in sullen silence to his head-quarters, on pretence of writing despatches. Orders were immediately given, contrary to express stipulations, to disarm the officers. The Indians took the hint, and the war-whoop was re-echoed ; the bloody tomahawk raised ; a general slaughter commenced ; the unarmed Kentuckians flying in vain in every direction for protection. The subordinate British officers attempted to stop the inhuman proceedings. One of them flew to Gen. Proctor to request him to stop the hellish carnage—that it was disgracing their characters as British officers. The inhuman fiend replied, it was the Indian custom to revenge their dead ; but he would try and see what could be done. The Indians, however, having glutted their revenge, ceased of their own accord, and went immediately to scalp and rob the dead and dying. The few prisoners remaining were delivered, by this monster, to the Indians, to be conducted to Malden. Few of them ever reached that garrison. Some were inhumanly tortured to death ; some burned at the stake, and many tomahawked in cold blood. The few who reached the garrison were naked, their skins torn and lacerated with traveling through the bush, and the goading of the savages.

A few days after the above massacre, Gen. Harrison sent a surgeon to the British camp, for the purpose of attending



the wounded. He had no sooner arrived than he was wounded and robbed ; then dragged as a prisoner to Malden, from thence to Quebec, and the author is not aware what became of him afterwards.

These continued unfortunate occurrences, during the first year of the war, made a deep impression on many of the malcontents in Upper Canada. They lost all hopes, therefore, and felt themselves constrained, from dire necessity and self-preservation, to assume at least the appearance of loyal subjects, until matters took a different turn.

## CHAPTER V.

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### Capture of Little York, and Battle of Lake Erie.

Gen. De Rottenburgh, being at this time appointed to the administration of the government, finding on his arrival that the country was well provided with provisions and provender, but that the agriculturalists were so averse to the British government, that they would not for any price dispose of their surplus produce, to supply the daily demands of the troops, enforced, as the first act of his administration, martial law in the Province. Detachments of armed men were sent in every direction, to search private houses—to break into barns; press teams, and carry away whatever the necessities of the commissariat required. If the owner murmured, or begged of them to leave enough for the supply of his family, he was instantly accused, no matter how loyal he might be, of being a yankee rebel, and sent to jail for his impertinence. The Province was thrown into confusion. All classes united in remonstrating against the stretch of power so indiscriminate and unconstitutional. The malcontents did not fail to add fuel to the flame. They suffered the least, as they took the precautionary steps to secrete their property in the woods and swamps; the loyalists were the greatest sufferers by this act, for they took no steps to secure from these military robbers their hay or grain.—Loyalists and malcontents, for once, were unanimous in lamning the government; rebellion appeared inevitable; threats to this effect, were publicly and boldly thrown out; the government became alarmed, and advised the Dutch tyrant to cancel the obnoxious law,—he persisted with the more severity, but unfortunately, at this critical moment, Gen. Drummond was appointed to succeed him, and instantly on assuming the reins of government, suspended the law, and saved the Province. The loyalists, like a dog to his vomit, returned to their loyalty, and the republican

party to their despondency. But the latter were not designed to remain long in that state. Gen. Pike embarked with 1700 men, on board a flotilla, commanded by Com. Chauncey, at Sackets Harbor, on the morning of the 25th of April, and on the afternoon of the 27th, disembarked, in excellent military order, about two miles west of Little York, the capital of Upper Canada. At a little less than a mile and a half from the town, he was opposed by a British force under the command of Gen. Sheaffe, who attempted to dispute the landing, but the heavy rolling fire, steady and firm advance of the American troops, threw the British, who disputed every inch of the ground, as long as they possibly could, into inevitable disorder. After sustaining a severe loss, they fled to their fortifications. Gen. Pike advanced in order of battle, with a determined and firm pace, until within two hundred yards of the breastworks, when an explosion of a magazine took place, which destroyed upwards of a hundred of the Americans, among whom was the brave but unfortunate Commander. When the confusion created by the explosion, had ceased, the American troops took possession of the city and fort. Gen. Sheaffe and his routed forces retreated in disorder towards the River Humber.— This was the first instance, since the commencement of the war, where the Americans paid the least respect to military order and discipline. The result was alike honorable to themselves, and glorious to the arms of their country. It also proved what courage in the officers, and firmness in the men, with proper discipline, can effect; considering the numbers engaged, the loss on either side was very considerable. This dear bought victory taught the British that American disciplined troops were no less formidable in the open fields, than the undisciplined militia were unmatched in the art of bush fighting. Consequently, they were ever afterwards, as careful of attacking the one, as they were in avoiding the other. The boldness of the design and its successful result raised the drooping spirits of the desponding Canadian Republicans, from something like despair, to the opposite extreme; on the other hand, the loyalists of either province, seeing the capital of Upper Canada in possession of their enemy, and the navigation at their control; the

majority of the inhabitants disaffected; the regular troops in the Upper Province, materially cut up, and the whole army not exceeding six thousand effective men, distributed by regiments and smaller detachments, over fifteen hundred miles of a frontier; and believing the Federal government would not fail with all the energy of the nation, to improve the commanding advantages, their navy and army had acquired, gave up all as lost; more especially, as they knew the United States to be powerful in men and means; and that they could not reasonably expect any material assistance from Great Britain, who was deeply involved in the exterminating wars of Europe. The only hopes of the Canadian royalists, for the salvation of the provinces, rested on the belief that the apparently determined opposition of the leading characters of the northern and eastern states, to the war, would induce these states to withhold their quota of men and means, and, if not declare themselves independent of the southern and western states, at least, to leave them to carry on the war, in the best manner they could. Every artifice and means, which the ingenuity of the British and their friends, in the states could plan or devise, were secretly put in requisition, to effect this infamous measure; and by all accounts, nothing but the war terminating at the very time, and in the triumphant manner it did, saved the Union, from either a dissolution or a fearful rebellion. The consequence was finally, as disgraceful to the opposers of Madison's administration, as it proved ruinous, through the whole course of the war, to the gallant efforts of the northern and western divisions of the army; and fatal to Canadian independence. Had they supported the government, in the prosecution of the war, as vigorously and determinedly, as they opposed it, the brave men who carried the capital of Upper Canada, with so much credit to the American arms, and honor to themselves, would have been instantly reinforced, and after leaving a sufficiently strong garrison at York, would have proceeded by land, and swept the country to Kingston. A co-operating army of about 2000 men landed at Gananoque, would have reduced Kingston, with little or no trouble, and Upper Canada would have been completely secured. But



for want of unanimity in the councils of the nation, the necessary reinforcements were withheld, and those heroes, flushed with victory, were obliged to lower their flag and relinquish the capital, when a little exertion on the part of their rulers, would have given them the province. The mortification of their Canadian friends, on witnessing the evacuation of York, when the conquest of Canada was expected, can be easier felt than expressed. It may be asked, why did not the Canadians, if they were so anxious for the success of the American arms, join them after the capture of Little York? The reasons were plain and strong. In the first place, the American army were not sufficiently respectable in numbers, to warrant their doing so with safety. In the second place, every one, except the ultra loyalists, were disarmed at the commencement of the war, and strictly watched; thirdly, Gen. Hull's miscarriage involved all those who had, and many of them who were preparing to join him, in actual ruin. Some were hung; some outlawed; and hundreds were suffering and pining away in the jails. From the declaration of war, until the successful attempt on York, the American troops, either for want of efficient leaders, or the paucity of their numbers, were severely cut up and routed, in almost every encounter. They were, therefore, waiting with anxious expectation, for the time, when the Americans should appear with a force sufficiently respectable in numbers, to ensure, with their help, the conquest of the Province, and their safety. Many of the young men, notwithstanding, joined them, and fought manfully in their ranks, during the war.

Except the taking of Fort George, by the Americans, and the repulse of the British at Sacket's Harbor, nothing of importance was achieved on either side, during the summer season. After these affairs, the attention of the British and Americans, were turned with great anxiety, towards the movements of the North Western army, under Gen. Harrison, and the American fleet, commanded by Commodore Perry, on Lake Erie, on the one side, and the British army, under Gen. Proctor with Capt. Barclay's fleet on the other.

In the month of August, the British troops at Malden and

Detroit, were suffering for want of provisions, as none could be procured in their neighborhood. It was, therefore, deemed advisable, by a council of war, to direct Capt. Barclay to place the crazy fleet under his command, in a sea worthy state, and proceed to the east as early as possible, to obtain the necessary supplies for the troops and navy; otherwise the army must abandon their position and fall back upon Moravia town, 80 miles distant in the London District. As soon as the vessels were ready, Barclay requested Gen. Proctor to grant him a sufficient number of troops, to act as marines, in the event of his being attacked by Perry. These were granted, with a considerable complement of Indians. Every thing being ready, Barclay proceeded immediately to execute his orders, with the intention, either to capture or destroy, the American fleet, in case they fell in his course. Should he succeed, the command of the lake would be secured:—Proctor's army immediately reinforced, and amply supplied;—the frontiers of Upper Canada, from the foot of Lake Erie, to the head of Lake Huron, safe from any future invasion, while, at the same time, the American frontier would be laid open to their marauding or foraging incursions, whenever they thought proper to act on the offensive. On the other hand, should Commodore Perry prove victorious, Gen. Proctor must, as a matter of necessity, abandon his possessions in Michigan Territory; withdraw his forces from Malden and Sandwich, and retreat to the interior of London District, which would, in reality, be opening the door to effect the immediate conquest of the Upper Province. Fully impressed with the conviction of these serious, and important consequences, the commanders of each squadron determined to assert and maintain the honor and supremacy of their respective flags, while a plank of their flotillas remained. The stake at issue, was, therefore, worthy the sacrifice; nor were these gallant leaders backward in bringing the matter to an honorable and fair trial.

On the morning of the 10th Sept., they hove in sight of each other,—the stern command, "prepare for action," was promptly given on both sides;—the crews piped to Quarters; guns skilfully pointed,—the usual notice, "all is ready," re-echoed

through the fleets;—the stillness of death succeeded—the morning was ominously still; an occasional breeze swelled the sails, creating a beautiful succession of rippling curls on the surface of the waters. The hostile crews eager and impatient for the onset. Neptune, as it were, bound up the winds, to give the anxious combatants time for refreshment, that they might commence the work of death with renovated energy. During this time, the squadrons were, for want of wind, rather drifting, than sailing, towards each other. The instant the hostile commanders singled out their respective flag ships, every exertion was made by the heroes, to place themselves in juxtaposition. But Capt. Barclay, on account of his long eighteens, had the advantage, of pouring for nearly ten minutes, a most destructive fire on the *St. Lawrence*, before she could bring her carronades to tell on the enemy; at length a flaw of wind brought her up to the desired point, making signals to the rest to engage. The wind, however, was too low to admit of an immediate compliance, he was, therefore, compelled to sustain, for an hour and a half, the fire of two ships of equal force. At last the brig became unmanageable; her crew, except four or five, were either killed or wounded. Victory, so far, declared in favor of the British. The brig being now a perfect wreck, and death and destruction still pouring in upon him, Com. Perry, with a presence of mind, and a heroism, hardly ever surpassed, he went in an open boat, exposed to the enemy's fire, to the *Niagara*, of twenty guns. The wind now arose; he bore down upon the *Lady Prevost*, pouring into her so tremendous a fire that her crew were compelled to seek shelter below. Following the example of their intrepid leader, the remainder of the American squadron engaged, one after the other, until the battle became general. Which now raged with fury;—splinters flying;—yards falling, masts tumbling, men dropping in every direction; the cheers of the surviving drowning the piercing agonies of the dying and wounded;—still victory, as if delighting in the carnage, stood aloof, undetermined, to declare for either side. Finally, the British fleet being reduced to floating wrecks, victory decided in favor of the American flag, and the command of the lake and the British fleet fell to Perry. This well contested and obstinate engagement was highly honorable to the conqueror, and also to the conquered. Every thing that valor, naval science and experience could devise, was brought to play. The stake at issue was great, therefore, the British held out for

the prize, while a vessel could be managed, or a gun brought to bear. But the friendly and humane deportment, of the conquerors, towards their fallen enemy, after the din and bustle of the conflict was over, gave a character for real bravery, to the American navy, that the bare victory could never have given.



## CHAPTER VI.

### Battle of the Thames.

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On receiving the official account of Capt. Barclay's defeat, General Proctor prepared to evacuate the Michigan territory, and shortly afterwards retreated with his army, after destroying the fortress and government stores at Malden and Detroit, to the London District. Gen. Harrison, with upwards of 3,000 men, pursued the retreating Proctor with all possible haste, and on the morning of the 5th of October, the advance, consisting of 1,000 mounted dragoons under Col. Johnson, reached the place of his encampment, at the Moravian village on the River Thames, 80 miles from Malden. The British troops were drawn out in an extended line of battle, with intervals of two and three paces between the files, covering a large extent of ground, and consequently presenting a very imposing appearance, but certainly the weakest military front or position that could be offered to an enemy. Whether Proctor adopted this plan from necessity or as a matter of choice, is immaterial; it fully evinced his incapacity as a General, as well as a total ignorance of the science of war. Col. Johnson reported the circumstance immediately to Gen. Harrison, who rode up to satisfy himself. He then requested permission to attack them before they changed their position. It was granted. Gen. Harrison, just as he was returning to bring up the main body to his assistance, in the event of any disaster, remarked to Johnson, after giving some necessary directions, "*Colonel, charge them as you think best, they are yours!*" Col. Johnson like a skilful leader, availed himself, immediately, of the advantage, which such an unprecedented weak position afforded; divided his regiment into two equal divisions; the left he gave in charge to his brother, Lieut. Col. James Johnson, the other he commanded in person. He then directed his brother to charge the British regulars the moment he attacked the Indians under Tecumseh.

When the order to charge was given, Lieut. Col. Johnson advanced with such rapidity, that the British line was actually broken up and routed before they had time to close their ranks and form a square to repel the attack. Through the cursed imbecility of a miserable poltroon, the trophies of this well planned and gallantly executed charge, on the part of the Americans, was 750 as brave and disciplined troops as the British army could boast, who surrendered at discretion as prisoners of war, to less than 500 raw Kentucky volunteers, besides six brass field pieces. The instant Gen. Proctor saw his line penetrated by the Kentucky volunteers, without any further effort, he mounted his horse and fled with as much precipitation, as if all the ghosts of the murdered Kentuckians at Frenchtown were at his heels. The attack made by Col. R. M. Johnson, on the Indians, was necessarily of a more obstinate and bloody nature. They were 1,300 strong and advantageously posted, under cover of the woods, and consequently made fearful slaughter in Johnson's ranks, as he approached the margin of the swail where they lay ambushed. Finding it impossible to dislodge them on horseback, Johnson ordered his men to dismount and attack them sword in hand. In the heat of the engagement, he and Tecumseh, the celebrated Indian Chief, singled out each other and met in deadly, fierce conflict; Tecumseh on foot, Johnson mounted; a large log between. As he essayed to round the log, Tecumseh fired and wounded him severely; his horse, at the same time, was perforated by a number of balls. As the warrior raised his battle axe, to give the finishing blow, Johnson presented his pistol and shot him through the heart. The instant Tecumseh fell, the gallant Johnson's horse dropped dead under him. He was so weak with the loss of blood, that it was with the utmost exertion he could extricate himself from the dead animal; his weakness was such that he afterwards had to lay along side of his dying war steed, until carried away in an Indian blanket. At this time Gen. Harrison came up with the main body and completed the rout already commenced.

The matchless bravery and heroic devotion of these Kentuckians, during and subsequent to this sanguinary action, have acquired for them an imperishable fame. In-

stead of glutting their revenge, on the prisoners whom the fortune of the day placed at their disposal, for the cruel and cold blooded murder of their friends and countrymen, at Frenchtown, they treated them with all the kindness in their power; thus proving to the world, if proof were wanting, that "the truly brave are always humane." The extraordinary achievements of this memorable day, most decidedly, prove them warriors of no ordinary cast.

Let us, for a moment, take a view of the strength and position of the hostile armies, at the commencement of the separate actions. The Americans engaged were barely one thousand strong; divided into two divisions of five hundred each; the one commanded by Col. Richard M. Johnson, the other by his brother, Lieut. Col. James Johnson. The British were full two thousand one hundred strong, divided, also, into two unequal divisions; the first, consisting of 800 veterans and six brass field pieces, under the immediate eye and command of Gen. Proctor; the second consisted of 1,300 Indian warriors, under the control of the celebrated chief, Tecumseh, who were securely formed on the inner verge of a swamp. Now mark—Lieut. Col. James Johnson, with his command of 500, charged, sword in hand, 800 British regulars, and six field pieces, and compelled them to surrender at discretion. Col. Richard M. Johnson, at the same time, with his division of 500, attacks Tecumseh and his 1,300 warriors, and defeated them. The whole affair, then, stands thus: 1,000 raw Kentucky volunteers, capture and defeat 2,100 disciplined British regulars and Indians, together with six field pieces.

The author has not been led, by any means, to dwell on these particulars, to detract from the generally established military character of British troops, but merely to show what raw, undisciplined troops can effect, when commanded and led by such brave and efficient leaders as Gen. Harrison and the Cols. Johnson, proved to be, on this occasion. For what signifies the bravery or discipline of any troops, when led or commanded by such a milksop as Gen. Proctor? Gen. Harrison had now the complete control of Upper Canada as far as Kingston. The whole of the British troops, with their out posts, were ordered to fall back on that point, to defend it against a daily expected

attack, by Gen. Wilkenson's army, from Sackets Harbor. From the general panic that prevailed among all classes, nothing could be more easily effected than the taking of Kingston at this particular juncture. The militia were frightened, and returning to their homes by companies; the friends of free institutions were in ecstasies; they believed their deliverance from colonial misrule now placed beyond the possibility of a doubt. They saw their American friends in command of the Lakes, and in possession of all the fortifications, west of Kingston. They heard the desponding language of the Gov. General, Sir George Prevost, who remarked at Fort Wellington, to the late Bishop McDonell, and in the hearing of the author also, "If Gen. Harrison and Wilkenson follow up the advantages, which the victories on Lake Erie and the Thames, have placed in their power, Upper Canada must be abandoned, —there is no alternative." The whole of the British forces, concentrated at Kingston, their only hold in Upper Canada, except Fort Wellington, at this time, did not exceed one thousand five hundred men.

A fortnight after the battle of the Thames, Gen. Harrison received orders to fall back, with his division, to Malden; place Gov. Cass in the command of Detroit, and proceed with the remainder of his forces to join the army of the centre at Buffalo. Expectation was now raised on tiptoe. The object of this sudden manœuvre was generally understood to be a simultaneous attack on Kingston, by Genls. Wilkenson and Harrison, prior to a descent on Montreal. The plan of operation was well concerted, and the force and means provided, amply sufficient for the purpose. Had it been acted on with an energy and ability similar to that which carried the fortifications at Little York, or obtained the victory at the Thames, the British would have been driven to Quebec, their last and only strong hold in Canada. To all appearance, every thing, so far, bade fair to the accomplishment of this object. Kingston was weak and short of provisions; the militia disaffected and deserting by companies, could not be trusted; the British fleet under Commodore Yeo, blockaded by the American fleet, commanded by Commodore Chauncey; on the other hand, the army appointed to attack Kingston, under Gen. Wilkenson, at Sackets Harbor, was 7,000 strong, supplied with every necessary material; Gen. Harrison's not far short of 4,000; these when united, would amount at least to 10,000 effective men; Chauncey's fleet far superior in number, metal and quality, to



the British navy; who, at this time, dare not show a sail outside Kingston harbor. Was there ever an opportunity more fair or favorable? But unfortunately for Canada, Gen. Armstrong, about this time, was appointed Secretary of War. A new arrangement took place. The attack on Kingston was abandoned. Gen. Wilkenson ordered to proceed down the St. Lawrence, to form a junction with Gen. Hampton, and then advance on a wild goose's chase to attack Montreal. General Harrison seeing his favorite plan of securing Upper Canada relinquished; an inferior officer placed over him, and seeing in prospect the failure of the campaign, by the total abandonment of the Upper Province, and realizing that he could be of no further service to his country, resigned with disgust. Gen. McClure, after burning Newark, retreated with his command to Buffalo. And the republican Canadians had the extreme mortification of seeing themselves in the same vexatious situation in which they were before the victories of Lake Erie and the Thames. The goddess of victory, who had hitherto favored the American flag of Liberty, as if ashamed of their want of military judgment, in not embracing the opportunity of a victory so feasible, and to all human appearance, so certain, deserted their cause on the frontier for that season, and again once more favored the British.

Had the command devolved on Gen. Harrison, it was the universal belief of the highest military characters in Canada, that Kingston would have fallen with little loss; and that he would have swept the Canadian frontier, and securely lodged his army in winter quarters at Montreal, or Three Rivers. If we may be allowed to judge from his former victorious career, there can be no doubt but the campaign of 1813, would have ended differently to what it did.

## CHAPTER VII.

### Battle of Chrysler's Farm.

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On the 30th of October, Gen. Wilkenson, with a flotilla of three hundred Durham boats, and seven thousand men, descended the St. Lawrence to join Gen. Hampton's division of four thousand strong, who was expected to be waiting for him at St. Regis, and from thence to proceed immediately to put the main part of his orders into execution—the taking of Montreal.

On the 11th of November, an army of observation, consisting of eighteen hundred British regulars, commanded by Col. Morris, of the 89th regiment of foot, overtook his rear division of seventeen hundred strong, at Chrysler's farm, in Williamsburgh. A desperate engagement of three hours duration took place in the open field. At the onset, the Americans charged with such fury that the British advance was thrown into disorder and compelled to give ground. However, it was only the panic of a moment. They instantly rallied; and in their turn drove the Americans across a ravine. Each party now occupied the ground on which they commenced. From this time, a regular succession of rolling volleys were kept up by both sides for nearly two hours. The American left again charged the right of the British, and were in act of taking possession of their artillery, when a party of the Canadian fencibles made a feint on their rear as if to cut off their retreat. The Americans, on perceiving this, made a precipitate retreat, and assumed their former position in the line. Immediately afterwards, a squadron of dragoons attempted to turn the British left; while another detachment of infantry essayed to enfilade their right. The former was repulsed by a body of Indians who lay in ambush in the edge of the woods; and the latter by a party of Canadian fencibles who were stationed for that purpose on the road. The British now charged in their turn, and captured a field piece, which narrowly escaped being retaken. Every means which brave and determined commanders could devise to turn each others flanks and decide the fate of the day having failed, all at once the British threw

off their great coats, the Americans their canteens and haversacks. The action was carried on with redoubled exertions for some time on both sides. The Americans at last made another desperate effort to retake their captured field-piece—took some prisoners, but failed in their object. After this affair, the Americans pressed hard on the British center, who maintained their position with astonishing firmness. At this critical moment, when victory, to all appearance, was about to decide for the Americans, Gen. Covington, their brave commanding officer was mortally wounded, and carried off the field. At the same time, a few reckless inhabitants appeared in the rear of the British lines to take a view of the battle. It being in the dusk of the evening, the Americans took them for a reinforcement, and the British gun-boats also heaving in sight, they considered it useless to contend any longer—retired in good order to their boats, leaving the British in possession of the battle ground.

For the numbers engaged on either side, this was unquestionably one of the fairest, most soldierlike, and best contested actions that took place during the war. The British loss was two hundred and three in killed and wounded, besides some prisoners. The loss of the Americans in killed and wounded, by their own official account was four hundred and forty-one, besides prisoners.

Were it not for the favorable and masterly position which the British occupied, and the stern tenacity with which they maintained it through the different vicissitudes of this hard fought action. It would otherwise have been impossible for them to have withstood, for a moment, the several furious attacks of the American troops.

The author having taken an active part in this engagement, as well as in some others, has thought proper to be thus minute, to show the folly of those who assert, and even maintain, that no troops in the world can compete with the British, man to man, in a fair fight in the open field. This is mere idle talk—sheer nonsense. The American soldiers have, in the present, as well as on former and subsequent occasions, proved themselves a full match for the British in the open field; whether at charging with the bayonet; manœuvring, or long shot, particularly when led by resolute officers. He has had several opportunities of witnessing and even feeling the truth of this assertion. But, it may be objected, that the Americans in this engagement were more than two to one. Very true. But

mark; the British were all regular soldiers, in the highest state of discipline. They had also the choice of position, and the wind in their favor; which must be admitted as equal to half the battle. The Americans, on the other hand, were undisciplined; the most of them not over six weeks in the service; mere raw recruits. But as an offset to this, at the battle of the Thames the British were nearly three to one; yet they were compelled to surrender, in a fair fight in the open field, to a handful of raw Kentucky volunteers. Nevertheless, it must be conceded that generally they are as brave and as well disciplined as any in the world; but this does not prove them superior to all others.

Before closing these remarks, we would observe that, during the battle just mentioned, the Americans charged as often as the British, and with a like success; which proves that the American soldiers are at least a match for the British troops in their own vaunted and favorite mode of fighting and deciding battles. Away, then, with the foolish, silly idea that the British can beat the world on a charge in an open field. But, granting, for a moment, that the British can beat the world in a charge in an open field, it must then be admitted, as a plain matter of fact, that as the Kentucky volunteers did beat the British (who can beat the world) on a charge in the open field at the river Thames, that the *Kentuckians can beat the English and the world*. We leave the reader to his own reflections on the merits of this subject, and only state that this contrast has been drawn without any intention to disparage the military fame of the British troops. Its object is rather to expose the unnatural meanness of those citizens who desire to build up and confirm the military character and prowess of foreign troops at the expense and ruin of the American soldier's, whose established valor and military reputation stands at least equal to any in the world.

Gen. Drummond, a British officer of the highest military acquirements, and who had fought in Europe and Asia, immediately after the battle of Lundy's Lane, declared that the American troops were more stubborn and unyielding in the field of action than any others he had ever encountered.

Col. Morris, who commanded at Chrysler's farm, remarked in a conversation with one of his officers, shortly after the action, that the Americans were equal, if not superior to the French on a charge, and very tough customers at long shot.

If this is the character given them by their enemies, surely



they ought to expect something similar from their friends and countrymen whose battles they fought with so much credit. But we must return to our subject.

Immediately after the action at Chrysler's, Gen. Wilkenson received a despatch from Gen. Hampton, stating his inability, for want of provisions and the lateness of the season, to meet him at St. Regis. On the receipt of this intelligence, a council of war was summoned by Gen. Wilkenson, by which it was decided not to attack Montreal, but go into winter quarters at French Mills, on Salmon river. And so ended the campaign of 1813—a campaign which, after the victories of Lake Erie and the Thames, gave the Americans the entire control of Upper Canada. But for want of military judgment and decision in the commander-in chief, a proper and cordial understanding between the general officers, and the unfortunate misunderstanding between Gens. Harrison and Armstrong, Upper Canada was lost and Montreal not even approached.

The Canadian republicans saw the failure with regret, and deeply deplored it. They saw, also, their sanguinely cherished hopes of an immediate deliverance from the British government irretrievably blasted. The news from Europe convinced them that the wars in that quarter were about terminating in favor of the allies; that Great Britain would be able to send out early in the spring an army sufficiently formidable, not only to guard the frontier, but to carry the war into the United States; that it was, therefore, their interest as well as duty, as matters turned out so unpropitiously, to make a virtue of necessity, and reconcile themselves to their lot—make a show of loyalty where none existed. Their confidence in the ability of the Americans to conquer the Canadas, after neglecting so favorable an opportunity, was entirely lost. Consequently they turned out readily afterwards, to do their turn of duty when called upon. The loyalists were in ecstasies when, in place of hearing, as they expected, by every day's express, the surrender of Montreal, it was officially announced that Gen. Hampton, on entering the Lower Province, was repulsed at Chattaugue by a handful of militia, and Gen. Wilkenson compelled, after the battle of Nov. 11th, to go into winter quarters. Their joy at this unexpected turn of affairs in their favor, was unbounded. But what astonished them as much, was the sudden change of the disaffected. In the month of December, their enthusiasm was raised to the highest pitch. Despatches were received from the war office, announcing that a large reinforcement

would be sent to their relief, early in the spring. The receipt of this intelligence gave new life and activity to every department. Preparations were commenced on a larger scale than ever to fortify the frontier; laws were enacted to compel males, from the age of sixteen to sixty, to bear arms and do duty.—The militia were placed on a more efficient footing; and every exertion made to augment the navy.

About the last of February or the first of March, 1814, Gen. Wilkenson broke up his encampment at French Mills, and retired to Plattsburgh. On the 30th, he entered the Lower Province with 4000 men. The next day he attacked the British works at La Cole Mills, and was repulsed with considerable loss. The unfortunate termination of the last campaign, and the disgraceful issue of this invasion, brought Gen. Wilkenson to a court martial, which reluctantly acquitted him.

## CHAPTER VIII.

### Battle of Lundy's Lane.

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Nothing further, of importance, transpired until the 3d of July, when Gen. Brown, at the head of 4000 effective men crossed the Niagara river, and took possession of Fort Erie, which surrendered without any resistance. The next day, he marched with his army to attack the British forces at Chippewa, commanded by Gen. Riall. Both armies met on the open field. The contest was obstinate and bloody. In this, as at Chrysler's Farm, the American commander displayed considerable military science, and the men an unyielding determination. The British fought with their usual bravery, and for sometime, victory seemed to incline in their favor, but finally the Americans charged with such fury, that they broke their lines, and drove them from their intrenchments with the loss of 514 men, and compelled them to retreat towards Burlington Heights. The American loss was 328. Here, again we see the Americans more than a match for the British, on a charge in the open field. It is true, they were more numerous, but the British were strongly intrenched, and had the advantage of position. The news of this defeat spread a momentary gloom over the Royalists. Lieut. Gen. Drummond, on receiving the official despatches relative to the affair, left Kingston with a large force, joined Gen. Riall at Burlington Heights, assumed the command, and immediately advanced towards the American encampment. On the 25th, the opposing armies met at Lundy's Lane, close to the falls of Niagara, and one of the most obstinate engagements, recorded in modern warfare, followed. Late in the afternoon, the advance of the Americans, under Brevet Gen. Scott, advanced in line of battle, in the face of a tremendous and destructive fire; with unflinching firmness, until they occupied a favorable position. The firing was now carried on with deadly effect on both sides, the British numbering at least, two to one. During this unequal part of the contest, Gen. Scott maintained his ground with an obstina-

ey and perseverance, which astonished his enemies; but fortunately, Gen. Ripley coming down to his assistance, restored the battle. The firing of the extended lines, for a few moments represented conflicting sheets of lurid flame, sporting beneath rolling volumes of smoke. It was a grand and terrific sight; for a moment, the British gave ground, to take a position on an eminence in rear of their right. Gen. Brown, at this time, came on with the reserve; the Americans had now, for a while, greatly the advantage in numbers, but as the night began to fall, the 104th Regiment and some flank companies joined the British, and placed the combatting armies nearly on a footing. These were ordered on the right of the Royalists, who were posted in a ploughed field. The strength of both sides was now fairly engaged, except the militia, whom Gen. Drummond would not trust, and who were ordered to the rear. Their ammunition was taken from them and given to the regulars. The night being pitchy dark, the contending armies could only distinguish each other by the flashes of their firing. A heavy column of the Americans advanced unperceived, to the right of the British, who were obliged to wheel back on their left to protect their flank, Gen. Drummond crying out to his men, "*stick to them, my fine fellows,*" at the same time, an American officer, supposed to be Gen. Scott, in animating his men, directed them with a stentorian voice, "*level low, my brave boys, fire at their flashes.*" The commanding officer of the 89th Regt. was ordered to charge this column of Americans, which was promptly executed, by driving them down the slope of the hill. But they instantly rallied at the base, and left of the hill, and in their turn, charged the Royals and drove them some distance to the rear. The 89th coming up at this time, in their rear, mistook them for the Royals, and were letting them pass on as such, but while they were inclining to the left, they had to advance in front of the Grenadiers of the 104th and 103d Regiments, who were in the act of firing at them when a British field officer rode up and ordered them not to fire, as "it was the 89th." The Americans took the hint, and called out, the 89th. The word "recover arms," was given, and, as they were advancing towards their own lines, they came in contact with a strong detachment of the 49th and Royals, who, by some accident, were far in advance of their own line; a dreadful scene ensued. It was, for some moments, the reign of carnage;—shoulder to shoulder, foot to foot, the combatants fought with



more than mortal energy;—for a few minutes, nothing was heard in that section of the field, but the rattling of bayonets; the clashing of swords,—the deep groans of the dying, and the shrieking cries of the wounded. The Glengarries marched to the assistance of their friends, but, from the darkness of the night, they mistook the 49th and Royals, for the American troops, which enabled the latter to retire unmolested.—The firing from the British and American lines, resembled a quick succession of short rolling flashes of lightning. It was a grand but terrific sight. A heavy column of the Americans charged the British right, seized their cannon, and drove them beyond the hill. They attempted to retake them, but were repulsed with a heavy loss. The Americans, for want of means, to bring them away, spiked a few, and left them on the ground where the British took them in possession. About 11 o'clock, P. M., the firing began to slacken on both sides; at half past eleven, it ceased with a few occasional random shots. Thus ended one of the most desperate, bloody, and obstinate engagements that ever took place on the continent of America. It was a drawn battle, neither party having gained the least advantage. The field, the next morning presented an awful sight. The Briton and the American, lay stretched at musket's length; each with his bayonet plunged deep in the others breast.—Some time after the action, the dead of both armies were collected by the British and piled in tiers alternately with tiers of rails, and burned.

Both armies remained on the ground until a little before daylight, when the Americans retired about a quarter of a mile.—Both parties were so cut up, that neither was in a state to renew the action. The Americans shortly afterwards fell back to Fort Erie, the British following at a respectful distance.

After this sanguinary engagement, the reader can judge whether the Americans are a match for the British, on a charge in an open field, either by night or day. The British lost in killed and wounded, 877. American, do. 860.

On the 4th of August, Gen. Drummond invested Fort Erie with 3000 men, and on the 15th, attempted to carry it by assault, but was repulsed with a loss of 600 men. On the 17th, the Americans made a sortie, and compelled Gen. Drummond to raise the siege and retire with great loss. Gen. Izzard having arrived to the relief of the besieged, with 5000 men, after leaving a respectable garrison in the Fort, advanced towards Chippewa, where Gen. Drummond had taken post. On the

20th of October, another engagement took place in which neither party had the advantage. Large reinforcements having arrived at Quebec during the summer, from Wellington's army in France. Sir George Prevost, the Governor General of the Canadas, having sent strong reinforcements to the Upper Province, was busily employed in making preparations, to remove the seat of war from the Canadian frontier to the United States.

## CHAPTER IX.

### Battles of Plattsburgh and New-Orleans.

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An army of thirteen thousand men, and a numerous train of artillery, were concentrating at Montreal, Chambly and St. Johns; preparatory to a descent on Plattsburgh. Gen. M'Comb, the American commander, having early intelligence of Sir George's design, made every preparation which time and means allowed, to give the invaders a warm reception.

About the 1st of September, this large army marched in three divisions, which arrived in regular succession at Plattsburgh, before the evening of the 10th.

At this time, the American fleet, commanded by Com. M'Donough, was lying to the southwest of the mouth of the Saranac, prepared to receive the enemy. On the 11th, the British flotilla, under Capt. Downie, was seen rounding Cumberland Head, and bearing towards the American fleet. On a preconcerted signal, the British land forces were to attack the fort the instant the fleets became engaged. The moment the first broadside was heard, Sir George opened his batteries, pouring tremendous showers of rockets, balls and shells at the American works, which were not slow in answering by a steady and well directed fire. The British troops made several desperate efforts to cross the Saranac and carry the works; but were as often repulsed with serious loss. In one of these attempts the 76th regiment was nearly literally cut to pieces. After two hours hard fighting, the flags of the American fleet waved triumphantly over the waters of Lake Champlain.

A short time afterwards, the gallant Gen. M'Comb, with his fifteen hundred Vermont and New-York volunteers, silenced the British batteries, and compelled Sir George Provost, with his immense train of artillery, and thirteen thousand Wellington veterans, to retreat, minus twenty-five hundred men, and two-thirds of his military stores.

Such was the chagrin of these hitherto victorious troops at the disgraceful result of this action, that five hundred and upwards threw down their arms and deserted. Gens. Power and Brisbane declared to Sir George that "they would never draw

another sword under his command in North-America."

The retreat finally turned into a flight; the soldiers deserting by companies. The dead were left unburied, and the wounded to the humanity of their enemies, who, as on all former occasions during the war, proved rather the Samaritan than the foe.

Sir George was called home immediately after the war, to stand trial; but died, it was supposed of a broken heart, before it came on.

Victory appeared now determined to make the Americans full and complete amends for the misfortunes of the first year of the war.

On the 22d December, 15,000 British veterans, under the command of the hitherto victorious Gen. Sir Edward Packenham, landed below the city of New-Orleans. On the 8th of January, he led them in person to attack the American works, commanded by Gen. Jackson. On their advancing within range, the American batteries poured a most destructive fire on their columns. The British notwithstanding advanced—closed their ranks as fast as they were opened by the fire of their enemy. At length they came within reach of the small arms. Six thousand muskets and rifles instantaneously poured an incessant torrent of death upon the assailants. The shock was terrible.—Hundreds fell. Being unable to proceed, they fled. Gen. Packenham, in attempting to rally them was killed. A second time they advanced under Gens. Gibbs and Kean. But this attempt proved more deadly than the first. Again they broke and fled. Again they rally and advance, but to meet a more certain destruction. Gens. Gibbs and Kean being severely wounded, they fled in every direction.

The field of action presented a dreadful scene of carnage. The British loss in killed and wounded amounted to 4000 men. The Americans had only 13 killed and wounded.

On the 18th the British embarked on board their shipping, satisfied that American soldiers were made of rather tougher materials than the French.

With this engagement the war closed, which, with the affair at Plattsburgh, cast as brilliant a halo of glory on the American arms, as the battle of Waterloo did on the Bri-



tish in 1815—for the British beat the French, and the Americans beat the British.

Let it be remembered, that ever since the capture of Little York, in April, 1813, the American troops fought with a gallantry and determination that destroyed the conceit, mortified the pride, and cooled the vaunting military ardor of their haughty enemy; and compelled them to acknowledge that they were the most obstinate and unyielding enemy they had ever met. And as an act of justice it must be admitted, if they did not exceed, they at least rivaled the heroes of the revolution.

The English having beat the French out of Spain and Portugal; and carried by assault fortifications deemed impregnable—such as Badagos, naturally enough imbibed the idea that they were more than a match for any other troops in the world. They looked upon the Americans, therefore, when compared with the accomplished French soldiers, as mere feather-bed recruits, and hardly deserving the name of soldiers. But the battles of the Thames, Chippewa, Lundy's Lane, &c. taught them a lesson they can never forget, and which extorted from Gen. Riall, at the battle of Chippewa, the exclamation, "*Damn them, how they fight!*"

It is singular, that after the taking of the capital of Upper Canada, the Americans rather sought for, than avoided a battle with the British. And although not always successful, yet they were seldom beaten. This is an established fact.

A parallel to the defence of Plattsburgh and New-Orleans may in vain be sought for in the late European wars. None to equal either of those can be produced. It has been urged by British apologists, that but a part of their troops were in the affair at Plattsburgh. This is, to say the least, a very unmilitary apology. They were all there, and under arms; and it only serves to add fresh laurels to Gen. M<sup>r</sup>. Comb's reputation for superior abilities in arranging his defence, so as to prevent the whole force of the enemy bearing upon him at once. He repulsed them; took two thirds of their booty, and more prisoners than he had men. That was enough; and whether he captured beauty with

the booty is quite immaterial. The British fled before him as if flying from an earthquake. At the commencement of the action they were nine to one; and at the battle of New Orleans, nearly three to one. This appears almost incredible; but they are, nevertheless, stubborn historical facts.

The American navy on the main proved, on fair trial, superior to the British navy, ship to ship, with only one solitary exception—that of the *Shannon* and *Chesapeake*. On Lakes Erie and Champlain, the American fleets captured the British. All of which proves that the Americans are, either by sea or land, a match for the British.

Thus ended the war with Great Britain—neither power having gained or lost one inch of territory. But on the ocean and lakes, the American navy bore away the palm.

In this summary of the principal features of the war on the frontier, we have stated the facts from our own knowledge and experience. We will next proceed to show its subsequent effects on the administration of the government of Upper Canada.

## CHAPTER X.

### Consequences of the War, in the Province,

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The war being over, it was generally believed, from the large promises held forth at its commencement by Gen. Brock, that all old grievances would be forthwith redressed. And in consequences of the apparent loyalty of all classes, towards the latter part of the war, the authorities having witnessed their sufferings and losses, that government would adopt a more liberal, impartial, and conciliatory course of administration. But in this they counted without their host.

As Gen. Brock was killed in the early part of the war, and Sir George Provost recalled in disgrace, their promises were considered no longer binding. The militia were dismissed with a bare "*Thank ye*"—the grants of land promised for their services were withheld, on the plea that they were entered for actual settlers.

Gov. Gore, on assuming the administration, after his return from England, finding himself so warmly received by his old companions in corruption, the executive and legislative councillors; and finding, by their representations, that the people were more loyal than when he left them, and that his arrival spread universal joy throughout the Province, concluded that this arose from the high opinion entertained of his former administration. Instead, therefore, of inquiring into the real state of affairs, and shaping his administration to the exigency of the times, he adopted his old system—squandering the waste lands of the Crown by thousands, to worthless minions, leaving the public business of the Province to be managed by the Executive Council, as best suited their own interests. The House of Assembly being generally composed of plain, poor, uneducated farmers, were, in consequence of the vast patronage at the disposal of the Executive, easily brought over to their

measures, and hence few laws, but such as favored the administration were enacted.

The farms of the agriculturists being in a ruinous and dilapidated state, from their being necessarily neglected during the war, the farmers were too busily employed in repairing and improving them, to pay any attention to the proceedings of their representatives in the Legislature. The debates were not published through the usual medium of newspapers; and the farmers were altogether ignorant of what was doing in their Parliament. At this period there were but two newspapers in the Province.

In 1816 it was officially announced that Gov. Gore was about to be recalled. By a hint from the Executive, the obsequious Assembly, as a token of their high consideration for his imparting to them individually, by patent, thousands of the choice lands of the Province, granted him £3000 sterling of the people's money, to purchase plate on his arrival in England. This unmerited sum was granted, too, at a time when the people could not obtain one farthing to be expended on their roads, which were in a worse state than John Bunyan's slough of despond. This appropriation was afterwards called the *Spoon Bill*. No Governor of the Upper Province ever deserved less from the public chest, or received more than this choice specimen of corruption.

At the close of the same session, the Assembly passed the usual supply bill; sent it to the upper house for adoption. The latter thought the lower house so perfectly at their control, that instead of accepting or rejecting the bill in toto, they took the liberty to alter and amend it to suit their views, and returned it to the Assembly for their concurrence.

A rupture between these branches of the Legislature followed, which nearly involved the Province in a civil war. The lower House constitutionally maintained that the Legislative Council had no right whatever to alter or amend a single item of any money bill sent them for their approval. On the other hand the Council as stubbornly maintained the contrary. The subject was finally referred to the Home Government, who decided in favor of the low



er house. Had they tamely yielded this privilege, their pittance of liberty would have forever been annihilated.

From this time forward the Legislative Council took a decided stand against the House of Assembly—asserted their high authority, by strangling every bill which it passed, however beneficial to the welfare of the Province, not in strict accordance with their aristocratical views and principles.

In 1817, Mr. Robert F. Gourlay, a gentleman of family and distinction from Fifeshire, in Scotland, being somewhat reduced in his circumstances, preceded his family, to prepare a location and settle with them in the Province.—Shortly after his arrival, an invitation was given him to visit Little York, the seat of government, to make himself acquainted with the affairs of the Province. This invitation was accepted. On visiting the several government departments and inquiring into the public affairs of the administration, the glaring mass of corruption and extortion which met his eye at every glance, and in every quarter, astonished him to that degree, that he hardly believed it possible. But the more he inquired, the more he was convinced. The liberties of the people he found little superior to Russian serfs—the House of Assembly, a mockery of representation—the bench of justice as corrupt as can be imagined, and prostituted to party purposes—the magistrates chosen for their ignorance and sycophancy—the adherents of an established church dominant in every office—the revenues of the Province unaccounted for; squandered in pensions and sinecures, on old lawyers and worn-out judges and flatterers—the people highly taxed, without receiving any benefit—the land offices inaccessible to the poor emigrant, from exorbitant fees—the waste lands of the Crown frittered away in surprisingly large blocks, for a trifle, to favorites, while the poor man could hardly obtain a lot—the improvement of their roads left to statute labor—the natural resources of the Province lying dormant for want of encouragement to men of capital and enterprise. This was what Mr. Gourlay called “*the reign of corruption, run mad.*”

He immediately communicated the result of his inqui-

ries to the public; called upon them, as they valued their own and their country's welfare, to call township meetings, draw up resolutions expressive of their grievances, and respectfully embody them in petitions for redress to the home government—that they might be assured that neither his Majesty nor his ministers knew any thing of the nature and extent of the malversation and corruptions practised by the provincial government on his faithful subjects in Upper Canada. That it was the intention of the imperial government that they should enjoy the British constitution to its utmost extent; instead of which, they had not, as matters were conducted, even the shade of its shadow. And in order to convince them of this fact more fairly and fully, he undertook to travel through every township, and address them on every particular—challenging contradiction.

The leeches of corruption took the alarm; despatched their emissaries in every direction, to prejudice and forestall the public mind, calumniate his character and motives, counteract his efforts, and brow-beat him wherever they could. But finding the people too firm and enlightened to be misled, and seeing their craft in danger, ever artifice that malice could suggest or cunning devise was resorted to, to entrap the patriot in the meshes of the law.

At the next sessions of the Assembly, they found little difficulty in bribing the members to make it felony for any one to call or attend political meetings of any kind on any pretence whatever. They succeeded.

Mr. Gourlay was indicted and imprisoned for nine long months in a dark dismal dungeon, fed on felon's fare, deprived of pen, ink and paper. At length, with his health ruined, his constitution broken, his strength prostrated, and his intellect impaired, he was brought to a mock trial, condemned, and banished to the United States.

Mr. Ferguson, the editor who published his communications, was also apprehended, and died in jail from extremely cruel usage.

The British and Irish immigrants that settled in the Province, at this time, were generally of the old country radical school, and consequently united themselves with the

provincial reformers in politics, which so annoyed the tory compact, and cormorants in office, that to prevent their future increase, they prevailed on the House of Assembly to petition the Imperial Parliament to put a stop to any further emigration to the Province from the British Isles, on the ground that the Province was overrun with paupers of the worst description, who were too ignorant and idle to earn an honest livelihood, a nuisance to the country, and a heavy burden on the more industrious classes of settlers—than which nothing could be more false.

In 1820, the electors of the Province, aroused from their former political apathy, as if from a long slumber; encouraged men of known liberal principles and talent to offer themselves as candidates for the then approaching elections. Both parties, tories and reformers, entered the field, at this time with an energy and resolution never before witnessed in the Province. The former had influence and means. The latter had some influence, but no means. The election day came, and furnished a scene which is not to be met with any where else than at a Canada election. The taverns were opened by the candidates to their respective friends, and the whiskey and rum, which flowed *ad libitum*, soon produced the worst consequences. The Tories and the liberals, each marshalled their forces, and marched to the polls with colors and music, where they were amused with promises never intended to be fulfilled. The Tories raised their old cries, "Down with the Yankees;" "Hurrah for Church and State." The reformers, equally vociferous, cried, "Equal Rights and Yankee privileges;" "No Church and State Corporation." Confusion became confounded. The Orange band struck up, "Croppies lie Down," and "The Boyne Water;" while the Catholic party cried, "O'Connell and ould Ireland." The shellelah and the brick-bats soon made their appearance. Hurrah! the drunk and sober are all at it. The magistrates looked on and encouraged the melee. The Orangemen at last ran; the Radicals shouting "Victory." The Scotch, English, U. E. Loyalists, and Irish songs and war cries were heard above the confusion. The hustings were destroyed. Dangerous wounds were given and received; till at last some

drunken magistrate just managed to hiccup "Treason," and sent an order for the nearest regulars.

Such reader, is a faint picture of a Canadian election.

Notwithstanding the exertions of the Tories, with their rum, whiskey, and shellalabs, the reformers elected a majority of Liberals. But the vast means of patronage at the disposal of the Executive, soon obtained for them a preponderance in the House. The people were now more than ever convinced that while the Governor had such vast means of corruption at his disposal, the elective franchise would avail them nothing; that however honest and pure the intentions of newly elected members might be, the baits held forth were generally too tempting for many of them, and that they sacrificed the public welfare for their personal interest.

Again they petitioned the Home Government to remedy this crying evil, and effectually stop a practice so ruinous to their liberties, and so demoralising in its consequences to the welfare of the Province. This, like all former petitions, was laid aside.

Mr. Willis, an eminent and learned lawyer, was sent out as Chief Justice of the Upper Province. On entering on the discharge of his duties, he found the bench of justice and the law practice corrupt to the last degree; and on attempting to reform them, in accordance with the constitution, he was, without the shadow of any crime, suspended from office, ruined in his estate, and sent back in disgrace, greatly regreted by the people.

About this time, William Lyon McKenzie commenced his career as editor of the Colonial Advocate. Of all men, he was the most honest, industrious, and persevering journalist who ever wielded a pen in the British Provinces. The hidden sinks of official pollution and corruption which he ferreted out and exposed to public view, exceed any thing which had till then been supposed to exist. Bribes were offered him; offices were promised; but to no purpose. Persecutions he despised. They only redoubled his diligence, and gave a keener edge point to his pen. Like the bird of the storm, the fiercer it raged the more triumphantly he struggled. He lashed the enemies of liberty



and equal rights with a whip of scorpions. He regarded the Tories as the rankest enemies of good government and liberal institutions, and treated them as such. They read his paper, but to trace their withered characters. He was a deadly cancer in their eye, and they felt it. They took the cowardly advantage of his absence; entered his office at noon-day; mal-treated his mother, a lady of eighty years; destroyed his press, and threw the types into Lake Ontario.

Not long afterwards, an Indian chief, a half-breed, was employed to assassinate him. Even the Executive Council were known to have formed plans for his destruction; but notwithstanding he still lives, a tormenting thorn in their side.

Another liberal editor, Mr. Francis Collins, for having exposed the "*native malignancy*" of Chief Justice Robinson, and charging home the bribery of the bench of judges, was fined, and imprisoned for one year, and died immediately after his release.

## CHAPTER XI.

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### Sir P. Maitland's Administration.

When Sir Perigrine succeeded Gov. Gore, great hopes were entertained from the conciliatory nature of his instructions, that every grievance would be adjusted and a better policy pursued: but the issue of his administration proved more restrictive and intolerable than any former one.—Laws were passed to prevent American books being used in the common schools, as well as against American citizens being employed as teachers. This was very remarkable, when it is considered that the majority of the members who supported these laws, were themselves American citizens, by birth and education. Another one was passed by the same assembly, to prevent gentlemen of the legal and medical professions, from Great Britain and Ireland, practicing in the Province, until they underwent a second course of an other five years' study, under some Canadian ignoramus.

It was at the commencement of this administration, that three millions of the public lands, which, by right of royal promises, belonged to the militia of the Province, for their services during the late war, were sold at 40 cents per acre, to a company of London speculators; to which the industry of the settled population had given value, but which had been constantly refused them, as purchasers, at one and two dollars per acre. These lands, while in possession of the company, are, by virtue of the purchase, exempt from taxes, to the great injury of the Province.

The clergy reserves are also exempt from taxes; but when leased to a poor man, taxes are immediately demanded, and should the lessee, after two or three years occupation, surrender it up to its clerical owners, it ceases, instantaneously, to be liable until re-sold. While all wild lands, owned by resident or non-resident holders, are taxed, not even ex-

cepting the U. E. Loyalists, who were granted their lands free of all taxes and encumbrances, for their endeared relationship to the British crown, and if not paid within a stated period, the taxes are doubled and the land liable to sale by the sheriff. In 1832 and 1833, many thousands of acres of these lands were sold at nominal prices, the whole of which were purchased by the monied aristocracy, to the great injury of the poor owners.

In consequence of the remissness of the American settlers in taking up arms against their countrymen, during the late war, and their uniform adherence to the principles of democracy, and their unwearied opposition to the oppressors of their adopted country—it was deemed expedient, by the harpies in office, to introduce a bill to declare them aliens; incapable of holding or conveying real estate, although the half of Upper Canada either belonged to or had passed through their hands. This was done, and another bill immediately introduced to enable them, in the event of their abjuring their native country and its democracy forever, to hold their farms, but not to vote at elections.—These bills passed an assembly which it was not difficult to bribe or intimidate, and was sent to England for the royal assent. The Democrats took the alarm. They saw in this the downfall of their party and principles, and with them the remaining liberties of the country. A central committee was appointed, of which Mr. McKenzie was confidential secretary. Mr. Randall, M. P. P. who had suffered much for his American birth and principles, was chosen to proceed to England with the documents entrusted to his charge, for the colonial office, who, with the acute management of Mr. McKenzie and the assistance of Mr. Hume, carried his point with Lord Goodrich, and received a full pledge that the Americans who had been subjects in Canada, from four to forty years, might so remain without abjuring their native country or principles.

The late Capt. Mathews, on half pay, royal artillery, and member of the Assembly, a staunch reformer and faithful servant of the public, for calling on a company of strolling American players, out of jest, to play Yankee Doodle, was called home to account for his conduct,—de-

prived of his half pay, and became another victim to the native malignity of the detestable family compact.

Mr. Robert Randall, for his constitutional opposition to the oppressors of his adopted country, now lies entombed in a country in whose service he suffered the most heart rending persecution and accelerated death.

This cursed faction, instead of meeting the punishment due their crimes, have been raised, at every immolation, to higher honors, and in every case they have been promoted in direct opposition to the complaints of the people.

During this Robespierre administration, for it deserves no better name, occurred the arbitrary and scandalous outrage, perpetrated upon the rights and property of Mr. Forsythe, by a military force, advised by the Attorney General and sanctioned by the Governor. The Attorney Gen. was shortly afterwards promoted to the Chief Justiceship. This flagrant and high handed outrage became the subject of inquiry before a committee of the House of Representatives, and Messrs. Givens and Coffin were sustained by Gov. Maitland, in their refusal to obey a summons to give evidence before the committee;—in fact, they produced a written document, subscribed by Gov. Maitland, prohibiting them to attend. Thus it appears an outrage was perpetrated, by orders of Sir Perigrine Maitland, and then his authority, influence and power were exerted to prevent investigation. Nor is this all; for Sir Perigrine wrote a calumniating despatch to the Colonial office, giving a false character to Mr. Forsythe, and traducing the Assembly that interposed in his behalf, as factions, disaffected and Republican.

Sir George Murray, then principal Secretary of State for the Colonies, on receiving a correct and impartial statement of the affair, rebuked Sir P. Maitland for his long and artful despatch against the Assembly's parliamentary privileges. Yet he was permitted, without further censure, to follow his old course.

The people petitioned his Majesty's Government, to recall this pious Nero, and strongly urged them to consider their deplorable condition, and afford that relief which the exigency of their sufferings, and the peculiar situation



of their affairs demanded. They also represented the dissatisfaction and anxiety of the people; the determination of the Provincial Government to defend and enforce arbitrary principles, and to oppose the application and operation in the Province, of the acknowledged principles of the British Constitution, and drew a comparison between their condition, on the one hand, and the prosperity of all classes, and the improvements of all kinds, in the neighboring states, on the other. They stated their country as blessed with a fine and healthy climate, a productive soil, unequalled natural facilities for internal communications, and an industrious and enterprising population; that in consequence thereof, they ought to see the country flourish and improve, at least as much, and the people as happy and prosperous, as their adjoining neighbors. But instead thereof, the withering and oppressive system pursued by the Administration, had rendered unavailing the natural resources and advantages of the country, and paralyzed all its enterprise.

Mr. Barnabas Bidwell, an eminent lawyer and a man of great natural and acquired abilities, and of exemplary morals, was, a little prior to this, duly elected member of Parliament. In consequence of his uncompromising integrity in the cause of constitutional reform, and his unwearied exertions against arbitrary encroachments—it was deemed advisable, by the tory members, to prevent, if possible, so formidable an opponent occupying a seat among them. It was reported as a pretext, that Mr. Bidwell, while Treasurer of the state of Massachusetts, had embezzled some of the public monies of that state. This was enough. His seat was disputed. A committee was appointed to proceed thither to inquire into the merits of the charge. After a strict inquiry, the committee returned—reported the charge untrue, and his character above suspicion; but he must be got rid of at any sacrifice. Having in vain sought for ought against his character, it was at last suggested that he had not conformed with the particulars of the naturalization laws, and consequently could not be considered a subject, and therefore ineligible to a seat. The reader will understand, that to become naturalized at that time, the following particulars were required: 1st, a residence of seven years in the Province:—2d, to partake the sacrament on the bended knees, at the altar of the established church, and immediately afterwards take the oath of allegiance, before a commissioner appointed for that purpose. Mr. Bidwell, as well as two thirds

or more of the naturalized subjects, declined, from religious or conscientious principles, partaking the sacrament in the established church; nor in fact, until then, did the government deem it any way necessary or essential to exact this particular point, as the act requiring it was an Imperial and not a Provincial one; consequently, from non-usage for forty years, it was considered obsolete; but Mr. Bidwell must be dispossessed of a seat in the Legislature, even at the hazard of making nine-tenths of the subjects aliens, which was accordingly done. This desperately wicked act roused all classes in the Province, to a state of desperation, and were it not for the superior management of Messrs. McKenzie, Bidwell and some others, the consequence would have been most serious.

This mad Assembly went even so far as to propose a bill to compel British emigrants, arriving by the way of New York, or elsewhere in the United States, to remain seven years in the Province, and take the oath of allegiance, before they could be entitled to the rights of subjects. Gov. Maitland was at length recalled; but instead of being brought to an account, and punished for his arbitrary government, as he ought to have been, he was promoted to higher honors.

## CHAPTER XII.

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### Sir John Colborne's administration.

Sir John Colborne succeeded; who, like all former governors, on assuming the administration, promised a speedy redress of all grievances, and encouraged the people with promises of happier and better times, but these, like all former ones, were only made to answer the purposes of the day. Maitland's administration was very justly denominated, the Reign of "Corruption run mad." These were the palmy days of church and state, of shuffling profligacy and rotten borough-mongering. Instead of redressing grievances, one of the first acts of this administration was, to multiply irresponsible banks; to grant large salaries for small services; to alienate the school lands for a job; to pass rotten borough bills, whereby to destroy the last vestige of independent representation; property declined in value; thousands of the settlers left the Province; money daily became scarcer, and credit difficult to be had. During this administration, the exertions of the House of Assembly, in passing good and wholesome laws, were rendered useless by that curse of all legislation, the mock House of Lords, called the Legislative Council. This branch of the Canadian Legislature is chosen by the Governor, for life, independent of the people, and consequently, is at the nod of the Executive. Among the bills passed by the Assembly, and black balled by the Council, are the following: A bill to protect the agricultural interests of the Province from a ruinous foreign competition; to provide for the just and equal distribution of the property of persons dying intestate, by taking away the right of primogeniture, as the law now stands. Bills were also passed, to secure an impartial trial by jury; and to take from the sheriffs, who hold their offices during executive pleasure, the power which they possess of packing juries; to

relieve the Quakers, an excellent class of subjects from burdens and penalties which are imposed by the militia laws, and which are, in time of peace, altogether unnecessary ; to improve common schools, and increase the public funds for their support ; To amend the charter of King's College, in conformity with his majesty's recommendation, and the wishes of the people, so as to put the Institution into operation on just and liberal principles ; To provide for the sale of clergy reserves, and the application of the monies arising therefrom to objects of common benefit and utility ; To promote the peace, freedom, and independence of electors of members of Parliament, by adopting the mode of voting by ballot. All these measures, and many others, were rejected by the legislative council, and the labors of the House lost. It is right, that the reader should fully understand the materials which composed the Legislative Council. It consisted of seventeen members, exclusive of the Bishop of Quebec ; of these not more than fifteen ever attend to their legislative duties, and out of the members generally present, six were of the governor's council, and eight office holders under the government ; and the remainder generally candidates for office. This was the Legislative Council of Canada.

Mr. McKenzie, a bold and persevering assertor of constitutional reform, was six times ousted from the Assembly, and as often returned by the people.

The elective franchise became reduced to a mere cypher ; and Sir John Colborne gave the finishing stroke to religious liberty, by creating 57 rectories or parsonages, according to the establishment of the church of England, under the great seal of the Province, and endowed them out of the clergy reserves. To these rectors, or parsonages, ministers have been, or are to be presented, as are their successors in future, by the government, and they are, according to the 39th clause of the act "To hold and enjoy the same, and all rights and profits thereunto, belonging or granted, as fully and amply, and in the same manner, and on the same terms and conditions, and liable to the same performance and the same duties as the incumbent of a parsonage or rectory in England," and the next clause of the act provides



for the exercise of "spiritual and ecclesiastical jurisdiction and authority," according to the laws and canons of the church of England. Under which clause, of course, ecclesiastical courts will be established, as no other church or court can fully exercise such spiritual and ecclesiastical jurisdiction. According to the act, the government may endow the parsonages, from time to time, and erect and constitute as many more, as the governor may deem needful; so that these parsonages may be multiplied beyond all calculation. The different clergy of the church of England, have received from the government in exchange for their own private property, large quantities of the clergy reserves; for instance, the Rev. James Cogan, surrenders 36 acres of land in the township of Hope, for 1020 acres in different townships; the Rev. Benjamin Croynon surrenders 4 acres of land, and receives in exchange 1892 acres!! The Rev. Francis Evans surrenders 5 acres in Woodhouse, and receives 800 acres in Walpole!! Rear Admiral Vansittant has been permitted to share in these good things, for the benefit of the church, and has received in exchange for a house and two acres in Blandford, 3590 acres of valuable land!!

The land thus conveyed to them in exchange, becomes their property, and of their assigns forever,—not their successors in the sacerdotal office. All comment upon such transactions is unnecessary.

These endowments, and all these grants in exchange for messuages, and lots of land, are in addition to the large regular allowance that is annually paid to them by the Government, out of the public monies of the Province, without the knowledge or consent of the people.

Thus, in one year, in contempt of all their humble remonstrances, and earnest protestations against church establishments and government patronage of a single sect, *fifty-seven government parsons* have been established in the Province, under its Great Seal, to make it irrevocable.

In this way, the government opened a new source of political influence, and not only established a State church among them, with spiritual and ecclesiastical jurisdiction, but a state church, of which, government is the sole patron

by having the exclusive right of presentation, or appointment. The people expressed the strongest feelings of indignation and astonishment, at this proceeding, by petitions to the home government. Year after year, they and their representatives have been straining every nerve, to procure the appropriation of the clergy reserves to some useful public purposes, in which all might, impartially and equally, participate. For upwards of thirty years have they solemnly and indignantly protested against the establishment of any state church. The people, from one end of the Province to the other, again, and again, petitioned the provincial and imperial parliaments on the subject. These petitions proceeded, not only from the people, indiscriminately, but also from public bodies. The explicit and distinct representation on this subject of the Methodist Episcopal Conference in 1831, in their address to his majesty, cannot be forgotten; inasmuch as it produced a most offensive reply from John Colborne, which caused much excitement and dissatisfaction at the time. The observations contained in the address on the subject of applying public funds to the support of religious bodies, and of thus appropriating the clergy reserves, were distinguished for wisdom and truth. In 1832, McKenzie was delegated to England, with petitions signed by 21,000 free holders, expressing similar sentiments. In fact, all parties and all denominations on this matter, have been agreed, and have so remained, with a unanimity and perseverance that is surprising.

Equally decided and uniform have been the exertions of the Assembly, to effect the same object. They had repeatedly addressed his majesty; they had also as frequently exercised the powers given to them by the constitutional act, to repeal those parts it, which relate to the appropriation of the clergy reserves; although these bills like many others ardently desired by the country, have been contemptuously rejected in the legislative council. So numerous and urgent have been those representations to his majesty's government, that the appearance, at least, of a favorable disposition on this subject, was at length obtained from the cabinet minister,

In 1832, the House of Assembly were informed by Sir John Colborne, in a message, dated 25th of January, 1832, that he had his majesty's commands to make to them the following communication.

"The representations which have at different times been made to his majesty, and royal predecessors, of the prejudice sustained by his faithful subjects in this Province, from the appropriation of the clergy reserves, have engaged his majesty's most attentive consideration. He has with no less anxiety considered how far such an appropriation of territory is conducive either to the temporal welfare of the ministers of religion in this Province, or to their spiritual influence. Bound no less by his personal feelings, than by the sacred obligations of that station to which providence has called him to watch over the interests of all the protestant churches within his dominions; his majesty could never consent to abandon those interests, with a view to any objects of temporary and apparent expediency. It has, therefore, been with peculiar satisfaction, that in the result of his inquiries into this subject, his majesty has found, that the changes sought for, by so large a proportion of the inhabitants of the Province, may be carried into effect without sacrificing the just claims of the established churches of England and Scotland. The waste lands which have been set apart as provisions for the clergy of those venerable bodies, have hitherto, yielded no disposable revenue. The period at which they might be reasonably expected to become more productive, is still remote. His majesty has solid reason for entertaining the hope, that before the arrival of that period, it may be found practicable, to afford these churches such a reasonable and moderate provision, as may be necessary, for enabling them properly to discharge their sacred functions. His majesty, therefore, invites the House of Assembly of Upper Canada, to consider how the powers given to the Provincial Legislature by the constitutional act, to vary or repeal this part of its provisions, can be called in to exercise most advantageously for the spiritual and temporal interests of his majesty's subjects in the Province."

This was a pledge of no ordinary solemnity, on the part of his majesty's government, not to proceed in opposition

representations which had, at different times, been made to his majesty, by so large a portion of the people. To establish and endow these rectories, in opposition to these remonstrances, was as flagrant a violation of royal promises and good faith, as can, well be imagined. In Lord Glenelg's instructions to the governor, it is distinctly intimated, that the disposal and appropriation of the clergy reserves, are to be left to the legislature of the Province. Under these circumstances, how could the proceedings of the government, in the formation and endowment of those rectories, and the exchange of lands, evidently a system of jobs, be reconciled, with a decent regard to good faith and justice, to the interests of the Province, or to the well known, and often declared wishes of the people?

The reflections which such a question suggests, are painful and mortifying.

Measures, most affecting the peace and happiness of the people, their opinions, and feelings, were adopted, not only without their consent, but in opposition to their unanimous and often declared wishes. To continue their complaints seemed now useless.

Lord Glenelg declared, in his instructions to Sir John Colborne, that "Imperial legislation on any subject of exclusively internal concern, in any British colony, possessing a legislative assembly, is, as a general rule, *unconstitutional*, and that to withdraw from the Canadian to the Imperial legislature, the question respecting the clergy reserves would be an infringement on that cardinal principle of colonial government which forbids parliamentary interferences, except in an evident and well established necessity."

These are the professions of the Imperial Government; but what has been its conduct.

Shortly after this admission, an act was passed by the Imperial Parliament, without even a pretence of necessity, and without the consent or knowledge of the people, or their representatives, authorising the sale of *one-fourth of the clergy reserves*, and withdrawing from the Canadian to the Imperial legislature, the question respecting the application of these funds, to other purposes, than their original object,



such as the support of education, &c. Under this act, more than two hundred and fifty four thousand dollars have been raised by the sales of these lands, and instead of being applied to provincial purposes, such as the making and repairing of roads and bridges, it was paid over into the military chest, and shipped to *Old England*.

The Hon. Edward Ellice, in his examination before the House of Commons, on the affairs of Canada, after describing the general and deep feeling which existed in the province, about the appropriation of these reserves, said, "surely, the framers of that act, must have overlooked the additional objection of drawing from the small capital of the country any part of it, for this invidious purpose." Notwithstanding this caution, and, although the law was a plain infringement of the principles of the Canadian Constitution, recognised and admitted by them, the ministry carried it out, not only in selling the reserves, and draining the country of its capital, but also in making those unwarrantable and profligate exchanges. What a practical comment is this, on *British Colonial Government*. Lord Glenelg, must have supposed, when writing the above instructions, that the people of Upper Canada were destitute of common sense and discernment.

The whole of the transaction to which we have adverted from the beginning, prove the necessity, and illustrate the importance of the great object for which the people had been for a long time contendng, viz: an "*independent responsible government*."

## CHAPTER XIII.

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### Sir John Colborne's Administration—riots at elections.

Sir John Colborne's administration was also remarkable for the desperate and bloody outrages at the elections, sanctioned or connived at, as they were by the authorities. The orangemen & tories were encouraged and even urged by magistrates and sheriffs, to assault with missiles, and often with deadly weapons, every person who might vote for a Liberal Member. At Farmersville, in the county of Leeds, they attempted the murder of a Mr. Phillips, for voting against the government candidate; but fortunately for him, in the phrenzy of their madness, they killed a brother orangeman in mistake. And to escape the penalty of the law, they appeared before a Grand Jury, and swore the murder against Mr. Phillips, a bill of indictment was found, and Phillips was tried for his life, by a tory judge and jurymen, but was honourably acquitted of any participation in the bloody affair, except what was necessary in his own defence, to save his life. In the examination of the witnesses before the court, the murder was pointedly brought home to the parties who swore out the indictment from the Grand Jury; but they were orangemen, and of the government party, and there the matter rested.

Phillips being a true and staunch reformer, and a gentleman of large property; his destruction, at all hazards, was determined by these hell hounds. They destroyed his property and he was afterwards obliged to escape in the night, and seek refuge in the state of New York. In 1838 at the Windmill, below Prescott, this unfortunate, but brave and generous patriot was killed on the last day of the battle. Mr. Armstrong, a Scottish gentleman of property and influence, was embowelled in the streets of Toronto, the seat of government, by a gang of ruthless, drunken orangemen,

for his manly efforts in behalf of liberal institutions. An inquest of orangemen was held over the body, who bro't in a verdict of accidental death. By all accounts, they have been the bane of Ireland, but most certainly, a blighting curse in Canada. Until their settlement in the Province, there never were better, more friendly or obliging neighbors, than the Irish Catholics. But the instant the orangemen settled among them, discord, bloodshed, and murder were the result.

The first murder perpetrated in U. C. was by one these desperadoes, of the name of M'Sweeny. By the contrivance of the government authorities, they so far got the ascendancy in the Johnstown District by virtue of the cudgel and bludgeon as to carry the elections for the government, whenever they pleased. To bring them to justice was impossible, the authorities were on their side, justice could not reach them.

The writer of this work, and the Rev. —, of the Baptist denomination, on returning home, in a one horse carriage, from the election held at Merrickville in 1836, were suddenly surprised in the woods by a band of these savage hirelings. Their leader, Hare, a notorious villian seized the carriage with one hand, while he attempted, with the other, to drag the writer down. A sudden blow of the butt end of a large horse whip, laid the intended assassin sprawling on the ground. Before his gang came up, with the aid of a good horse and a free use of the whip, they were soon distanced. The poor timid priest was so frightened, as to loose all power of action, during the scuffle; but after recovering, and seeing himself out of danger, he was the most valliant man the writer ever saw; he foamed at the mouth, kicked with his feet, shook his fists over the hinder part of the carriage, inviting the Ishmaelites to come, if they dared. The fact is, the suddenness of the surprise, had so frightened him, that when fairly recovered, it had the effect of throwing him into a kind of hysterical frenzy. For, naturally, he was of a very quiet, meek and pacific disposition. Some time previous to this affair, one of these incarnate demons, a Mr. Henry Hamilton, and two others, lay concealed at the edge of a swamp through

which the writer had to pass on his way home from a political caucus. On entering the swamp, these ruffians sprang from their lair, dismounted him in rather a rough manner, and were it not for the timely appearance of three strange gentlemen, they would have accomplished their designs. The author, from the wounds received, was confined to his bed for three months.

This Hamilton shortly afterwards killed Mr. Tarbox, an American citizen, with a saddler's knife, in Prescott, for which he was apprehended, tried, and condemned, but not executed, "BECAUSE HE ONLY KILLED A DAMNED YANKEE."

Thus they go it in Canada. Killing a Canadian reformer or a Yankee is the same thing, and the sure way to attain preferment. At the same election David Ballintyne, a gentleman of character, influence and property, after giving his vote for a reform candidate, was immediately attacked by about a hundred of these ruffians, who beat, cut and mangled his body in a horrid manner; broke down the hustings, snatched the poll books from the returning officer, and tore them to pieces.—Mr. Samuel Bass, a peaceable farmer, on returning quietly home, was overtaken by a gang of these furies, dragged from his horse and left for dead on the Queens highway. Having failed to entangle Mr. McKenzie in the meshes of the law, or in finding aught against his public or private character, the Governor's privy council met, on a particular day, to devise means to take his life, as will now be proved by the following testimonies:—

Home District, }

To Wit: }

Came before me, James Hervy Price, Esquire, Commissioner for taking affidavits, in Her Majesty's Court of King's Bench, this day, William Howe, of the Township of York, coach maker, who being duly sworn, voluntarily deposeth and saith, that about four o'clock in the afternoon, Monday, 13th of November, inst. as this deponent was walking up the street, leading from the public offices to the Government House, in company with Mr. John Mantach, of this city, six or seven persons came out of the Governor's door and out of his gate; they were talking about McKenzie, and this deponent distinctly heard the Hon. John Elmsly say to Mr. Allan, for he turned to him whilst he spoke,—“McKenzie ought to have been shot at that time, and the only thing to be done is to take him out and shoot him.” Signed,

W. HOWE.



Home District, }

To Wit: }

Came before me, James Hervey Price, Esquire, a Commissioner for taking affidavits, in the Court of King's Bench, John Mantach, of the City of Toronto, book-binder, who being duly sworn, freely and voluntarily deposeth and saith, that about the hour of four in the afternoon of Monday, the 13th of Nov. inst. as this deponent was walking near His Excellency's gate, in company of Mr. William Howe, the Hons. William Allan, Robert B. Sullivan and John Elmsley, members of the Executive Council of Upper Canada, with several other gentlemen, came out of the said gate of the Government House,—Elmsley said to Allan, "McKenzie should (or ought to) have been shot at that time, and the only thing to be done, is to take him out and shoot him now."

Sworn before me, at Toronto, this 14th Nov. 1837.

J. H. PRICE, a Commissioner for taking affidavits &c.

Signed, JOHN MANTACH

When the fountain of a government is so foul and desperately wicked as this, what purity can be expected from the streams which flow from it?

While Mr. McKenzie was in England, advocating the cause of the people, and demanding a constitutional redress of their grievances, the harpies of misrule were secretly employed in circulating counter petitions through the Province and calling on the teachers of common schools, to sign them and make all their pupils who could write do the same. The teachers durst not refuse for fear of losing the government appropriation for schools, and the pupils signed them for fear of punishment from their teacher. In this manner, they obtained fifty-one thousand signatures to their petitions for church and state government; which they forwarded to the Colonial office. The odds was greatly against Mr. McKenzie; yet, notwithstanding this vast difference, on referring to the petitions, he had little or no difficulty in convincing Lord Goodrich of their desperately wicked tendency, by imposing on His Majesty's government, such a mass of puerile signatures.

Lord Goodrich was convinced, and drew up instructions for Sir John Colborne, with directions to take the necessary steps, forthwith, to redress the evils and abuses complained of in the People's Petition. Sir John lost no time in referring these instructions to the Assembly at their first sitting. But the leaders of the tory faction, Mr. Atty. Gen. Boulton and Solicitor Gen. Hagerman, instead of acting upon them with

that courtesy which was due them, treated the instructions with the most sovereign contempt, and abused Lord Goderich's character and benign intentions, with a violence and brutality, which would disgrace the least civilized government in Europe. They represented him as a political mountebank, adding, "nobody can tell what political caper this political imbecile may next order. This foolish minister is trying to reduce the institutions of the country to rank Yankee democracy.—The fools and knaves of the Yankee Republican faction, whom Lord Goodrich delighteth to honor—and the fools and knaves of the Canadian Republican press,—and they are all fools and knaves, who do not disapprove of Lord Goderich's conduct, in listening to the silly complaints of the swinish multitude, against the honorable and learned gentlemen connected with the administration of the government." This language having reached the King's ear, through Mr. McKenzie, these worthies were removed from office in disgrace. But Lord Goodrich, being shortly afterwards created Earl Ripon, retired from the Colonial office, and was immediately succeeded by tory Stanley, who promoted the disgraced Attorney General to the Chief Justiceship of Newfoundland, and restored Hagerman to his former office;—so that what one Colonial Minister does for the good of the Province, the next is sure to undo; such was the uncertainty of the Colonial office. The grievances complained of by the people, instead of being redressed or meliorated, were left to accumulate, like a rolling snow-ball. Laws were enacted during this administration, creating new and irresponsible legal tribunals; clothing existing courts with new means of oppression, and increasing their expenses; authorizing direct taxes on the people, and interfering with private rights; taking away the rights and privileges of the electors. The laws regulating their trade and commerce, were enacted in the Parliament of the United Kingdom, and continually changed and varied without the Province being consulted, though the value of their labor and property are deeply affected by this ever varying system of legislation.

Their trade by sea is carried on exclusively for the advantage of capitalists, residing in England. England claims an exclusive monopoly of the Canadian markets, but allows the Canadians none in hers. Their beef and pork are prohibited to the English markets, and their pot and pearl ashes subject to the same rates of duty, at London or Liverpool, as the pot

and pearl ashes of the United States. By an act of the Imperial Parliament, it is enacted that United States' wheat, wheat flour, beef and pork, may be imported into the Canadas, either by sea or inland navigation, free of duty, and may be shipped at Quebec, to any part of the British West Indies, on the same terms as the like produce of Upper Canada. By an act of Congress, passed in July, 1832, wheat, wheat flour, beef and pork, ashes and all other articles, the staple produce of the Canadas, are subject to a tax of fifteen per cent. if imported into any part of the United States; so you see the monopoly is all in favour of England and the United States. This is a specimen of the manner in which they manage Canadian affairs, in the English Parliament. The Canadians are confined to the markets of the home country, entirely. Were they to attempt to extend their trade with other countries, the protecting duties imposed by England, in favor of her own merchandise, would prevent the importation of foreign goods in exchange. Selfishness alone, is the principle which has guided England in her intercourse with Canada, and that selfish policy will, undoubtedly, hasten the independence of the Colony; for with all her encouragement of emigration, with all her expenses of armies, fleets, governors and viceroys, she is but hastening the final consummation. One after another, as they gain power, her Colonies will grasp by force, the political rights denied to peaceable petitions; until, in time she becomes the "girdled tree" spoken of in the days of the prophet Sir Francis B. Head. Of all the measures that ever came before the Assembly, the bill providing for a court of Chancery, was the most wicked and dangerous. It passed; and the people found that, instead of a court of equity, it proved a court of spoliation and confiscation. Its supporters presented it as a golden pipin, but upon trial it turned out a bitter crab. "Go it my boys," said a respectable Englishman, "I recovered in Chancery, an estate of two thousand four hundred dollars a year, and the whole estate, aye, and four thousand dollars into the bargain, were swallowed by the costs of court." In nineteen cases out of twenty, the suitors are stripped and beggared,

Sir John Colborne, determining to give the Canadians, before his recall, a surfeit of tory government, commissioned a large batch of magistrates, consisting of Irish Orangemen and Yankee renegade tories. Not a solitary Scotch, English, or Canadian reformer was appointed, because at the previous elections they voted contrary to his wishes.

Old Countrymen may differ as to forms of government; but a Yankee tory is a Gibeonite. Strange as some may think it, the bitterest enemies of the reformers, exceeding even the Orangemen in virulence and deadly enmity, were these Yankee tories. Not cordially liked, even by the Orangemen themselves, they were hated with a perfect hatred by the reformers. They were the reproach of their country; the disgrace of the American continent, and one of the curses of Canada. The world did not, and never will, and never can exhibit so groveling a class of freemen as the tories of Canada.

It might almost be said, from the course pursued by Sir John Colborne, that the Home Government appointed him to the administration for no other purpose than to oppress the people; squander their resources, and entail on their posterity the oppressions of a church established by law; which church, Cobbett, in his *History of the Reformation*, page fourth, says, "Was engendered in beastly lust; brought forth in hypocrisy and perfidy, and cherished and fed on plunder, devastation and rivers of English and Irish blood." On page 8th, he adds, that it was established in England "by the gibbets, the racks, and the ripping knives." This church, contrary to the repeatedly expressed declarations of nine-tenths of the population, is now the law established church of Canada, with an endowment of one-seventh of the Province, or 15,000,000 of acres, which the Primate of England has declared to be part and parcel of the diocese of Canterbury. Had the Canadians no other grievances to complain of than merely this, it was of itself sufficient to warrant an appeal to arms.



## CHAPTER XIV.

### Corruption money—High prices.

In 1835, Sir John Colborne ordered \$196,607 to be paid to pensioners and sinecurists out of the people's money, usually called the casual and territorial revenue, without their, or their representatives consent—one item of which runs thus: "Paid A. B. Hawkins, a yankee tory, and P. Robinson, a son of one of the Wyoming murderers in the Am. revolution, \$14,500 for expense of starving poor settlers and emigrant pensioners.—The 17th item reads thus: "Paid Joseph Spraggs \$1,200 for keeping a small tory school in Toronto. Item 35th: Paid \$3,500 to hireling priests of the Presbyterian order. Item 36th: Paid \$12,870 to hireling priests of the Established Church. Item 1st: Paid Roman Catholic Bishop McDonell \$3,000 pension. Item 2d: Paid Roman Catholic priests, \$5,000; and so on to the end of the chapter. The Methodists \$1,900. The Baptist Church was the only one which refused the wages of iniquity.

Ye free born sons of America! what would you think of a President who should, without your consent, undertake to squander your resources in like manner?

We will here give a list of the Executive and Judiciary officers, of Canada, with their salaries. It will afford an opportunity of comparing a domestic with a foreign government; a government by farmers, with a government by strangers from beyond the ocean.

CANADA.	SALARY.	MICHIGAN.	SALARY.
Gov. of U. Canada,	\$24,000	Gov. of Michigan,	\$2,000
Sec. of State,	4,000	Sec. of State,	800
Auditor,	1,460	Auditor,	300
Chief Justice,	7,000	Chief Justice,	1,600
Attorney General,	4,800	Attorney General,	250
Associate Judge,	4,444	Associate Judge,	1,600

Canadian gov. \$45,704

American gov. \$6,550

Michigan Judges get no retiring pensions; Canadian Judges get each \$3000 per annum from the pockets of the people, without

the decency of asking their leave. Thus they go it in Canada.

It may be asked, What is the cause of this difference in the salaries of the officers of these governments? The reasons are plain: The people of Michigan govern themselves; Canada is governed by imported strangers, whose only interest in the Province is that of fleecing the people. Each of the twenty-six confederate states chooses its own Governor and Legislature; alters and amends its own Constitution; frames laws for good government; creates and maintains a militia; appoints the judges of the land, magistrates, and sheriffs; has a voice in the regulation of trade, the currency, and in questions of war, when discussed in the great Parliament of the confederation, through its senators and representatives. Canada is governed by the bayonets of foreign mercenaries; has no voice in the choice of her Governors and Legislative Council. She dare neither alter or amend her political Constitution; has no voice in the regulation of her trade or currency, nor in the question of war or peace; she appoints neither magistrates nor sheriffs, militia officers nor coroners; nor has the control of her own revenues, nor the disposal of her public lands—hence her bad roads, rotten bridges, and little improvements, large salaries and despotic government.

The British Parliament robbed Canada of its lands; and rogues and sharpers, the howling herd of corrupt officials, rob it of its money, and its miserable inhabitants dare not complain—for when they ask for reform, they receive coercion. The family compact surround the Governor, so that no one not of their tribe or party can reach him. They actually govern the country; dispose of its places of profit and distinction, and not only rule, but insult the people. Being really independent of all control, their insolence, rapacity and corruption know no bounds; and if, at any time, the Governor, or even the Home Government, offend their high mightinesses, they treat them with scorn and contumely, and scoff at the commands sent to them from England.

Mr. Roebuck, a member of the British House of Commons, and agent for the people in the Lower Province, remarked, in the English Parliament: “While such is the nature and conduct of this petty and vulgar oligarchy, I beseech the House to consider the peculiar position of the people over whom they domineer. This people are in daily, nay, hourly intercourse, with the republicans of the United States of America. They are accustomed to behold, across the frontier, a great people, not

more instructed, nor more deserving of good government than themselves, self-governed—governed by thoroughly democratic institutions; and what is the result? A state of unexampled prosperity—equal, rapid, and unceasing improvement; laws and institutions that continue in their action as regular as a piece of physical machinery. They see the cheap governing body, having interests identical with the people, and possessed of their ever advancing spirit of improvement, aiding all enterprise—in fact, performing the true functions of a government; not contented with protecting to the utmost, the property, person, and reputation of all the citizens, but assisting in all those great undertakings which are best promoted by the combined efforts of a whole people. With such a sight before them, it is not wonderful that the Canadian people have imbibed the free spirit of America, and that they bear with impatience the insolence, the ignorance, the incapacity, and the vice of a nest of official cormorants, who, under the fostering domination of England, have constituted themselves an aristocracy, with all the vices of such a body, without one of the redeeming qualities which are supposed to lessen the mischief which are the natural attendants of all aristocracies. It is of a people thus high-spirited, pestered and stung to madness by this pestilent brood, that I demand your attention,” &c. “If you do not redress their grievances, and permit them the free and full exercise of the rights and privileges granted them by the Constitution, they will take for their example the conduct of their neighbors in the year 1776, and throw you off with the same bitter animosity, and govern themselves.”

Immediately after this, Sir John Colborne was promoted to the Guelphic order of Hanoverian Knighthood, by letters patent from the Crown, as a reward for his exertions in keeping down the Yankee faction, and preventing reform, and for upholding a church and state government for so many years in Upper Canada, contrary to the declared intentions of the people. But Sir John was determined not to rest short of the peerage. In order to strengthen his church and state tory government, and to render his measures popular, by giving them the appearance of impartiality, by the advice of his secret councillors, it was determined to attach the dissentient preachers, in consequence of their great influence, to the ear of the administration. He, therefore, condescendingly meted out of the people's money, without their consent, a certain sum annually, to the Methodists, Presbyterians, Catholics, and Baptists. The bait was offered, and readily gulped by all but the

Baptists, who would not touch the unclean thing. Be it remembered, that previous to this piece of bribery, the ministers of these sects were bold and ardent advocates in the cause of reform; and frequently taught the people from the pulpit, "that a church establishment was an abomination; that it restricted the liberty of conscience, and never failed to reduce the people to spiritual bondage; that the maintenance of their spiritual privileges depended on their maintaining their political rights; that rebellion to tyrants and ungodly rulers was obedience to God. But mark ye: they had no sooner accepted the wages of Balaam, than like Balaam's ass, they found a new tongue. It was now: "Be ye subject to the higher powers; for there is no power but of God; and the powers that be are ordained of God," &c. Thus they sold their consciences, and their country, for a small annual pittance of the mammon of unrighteousness; and turned the grace of God into lasciviousness.

Despotism has rarely ever been thoroughly established in any country without the connivance and assistance of the clergy. Liberty, throughout the world, has suffered more through their instrumentality, than from any other class of people whatever. Canada is a living exemplification of this truth. Their crouching to Sir John Colborne, for less than a mess of pottage, destroyed the hope of freedom in that unhappy country, for some time at least. Had the other sects, like the honest Baptists, stood true and firm to their former integrity, Canada would now have been free. From this time forward, these priests found no more fault with the administration, nor could they see any abomination in a church united with the state, until recently, when the Methodist preachers discovered it a second time, after the *Regis donum* was withdrawn. Then like other penitent sinners they exclaimed PECCAVI. But the iron way of the church, incorporated with the state, was now confirmed.

It was left for Sir F. B. Head to drive home the key stone in the despotic arch, which his predecessors had so nearly finished. In the commencement of the year 1836, Sir Francis assumed the reins of government, with ample instructions from the Home Government, as usual, TO SETTLE ALL THE DIFFICULTIES.

He found, on his arrival, a reform House of Assembly, the choice of the people. The Colonial Secretary handed him Mr. M'Kenzie's book of grievances, as his guide; and, on addressing the members of the Assembly, the first time, said: "You



have great and oppressive grievances, that require important remedial measures, without delay. Impartial justice must be administered; the people have asked for it; their sovereign has ordained it; and I am here to execute his gracious commands. Delay will only increase impatience." He stated further: "that he was sent out to administer the affairs of the Province in such a way that the people should have occasion to be attached to the parent state, from sentiments of affection and gratitude, as well as from principles of duty." He portrayed the Province as "standing like a healthy young tree, that had been girdled; its drooping branches mournfully betraying that its natural nourishment had been deliberately cut off."

The country hailed his arrival as the dawn of happier days. Loyal addresses were poured in to him daily, from all parts of the country. Expectation was now on tiptoe. Commercial and agricultural deputations proceeded from every quarter to the government house, to welcome and pay their loyal respects, to the GREAT REFORMER, Sir F. B. Head. But as he was a stranger to the Province and its affairs, and knew but little of the wants, sentiments, and habits of its inhabitants; and as the measures complained of under Sir John Colborne's administration had been attributed, in a great degree, if not altogether, to evil advisers, much anxiety was felt that the new Lieut. Governor should call to his Council persons in whose sound constitutional principles the country could put confidence. His Excellency appeared to have anticipated their wishes, by calling to his Council Messrs. Dunn, Baldwin, and John Rolph, gentlemen of liberal principles, and well qualified for the office from their extensive knowledge of the affairs of the Province. These appointments afforded general satisfaction, not unmixed however with apprehensions that the influence and presence of the old Councillors, who were supposed to have advised Sir John Colborne, would embarrass his Excellency and the new Councillors, in the pursuit of a more impartial mode of government. The House of Assembly and the Council were not then aware that the Executive Council had hitherto been used as a screen for the acts of the Lieut. Governor; for it was generally understood that they had been consulted on all the affairs of the Province. That the principles of the British Constitution were not put in practice as it regarded this Council, in one respect, was well known, for it had been the subject of earnest complaint for many years by the House of Commons; that persons had been appointed or continued as Coun-

cillors, whose political opinions were in opposition to those of the people and their representatives, and in many cases to the expressed wishes of his Majesty's government; as was shown in the memorable instance of Lord Goderich's despatch. But the country was ignorant how much the affairs of the Province had been conducted by the arbitrary will of the Lieut. Governor himself, with no other counsel than the secret suggestions and recommendation of unsworn, irresponsible and unknown advisers; and as it ultimately appeared, this appointment of the new Councillors was nothing but a deceitful manoeuvre of Sir Francis, to continue the old system and to gain credit with the people at the same time, for liberal feelings and intentions, where none actually existed.

Messrs. Dunn, Baldwin, and Rolph, accepted the office of Councillors on the following previously arranged conditions, which were fully understood and subscribed to by his Excellency :

1st. That they should be considered in the same relation to the Governor as the English ministry were to his Majesty; that they should be consulted on all matters relating to the Provincial government; and his Excellency left at liberty to act on their advice, or not, as he thought proper. But in the event of his adopting or acting on measures independently of their counsel, previously taken, that they should be at liberty to retire, and his Excellency at liberty to appoint other Councillors, with views congenial to his own.

On these constitutional principles they accepted office; and trusting to Sir Francis' sincerity, they were sworn in on the 20th of Feb. 1837; after which day he never called upon them for counsel or advice, but carried on the affairs of the Province in direct opposition to his own voluntary and solemn engagements; and made appointments highly obnoxious to the people.

He also withheld the royal assent from 114 bills passed by the Legislature; many of which, including the felon's counsel bill, were of the utmost consequence to the welfare of the Province.

It was evident that he had given his confidence, and was acting under the influence of secret and unsworn advisers.— Under these circumstances, the Council were led to examine the nature and extent of their duties under the constitutional act, and having discussed the subject with his Excellency personally, at the Council Board, they united afterwards in an unanimous and respectful representation, in writing, to the

Governor, in which, after adverting to the critical state of the Province, and the general discontent created by the past administration, which no one could doubt, they stated their views of the Constitutional Act 31st. George III, Chap. 31st, as it respected the Executive Council, and drew up the following address:

“MAY IT PLEASE YOUR EXCELLENCY—The Executive Council, impressed with the oath they have taken to discharge the duties necessarily resulting from their appointment “to advise the King and his representative, in the government of the Province” in the terms of the Constitutional Act “upon the affairs of the Province” deem it incumbent on them, most respectfully to submit the following representation:

“The Executive Council recognise the truth of the opinion expressed by Lord Glenelg, that “the present is an era of more difficulty and importance than any which has hitherto occurred in the history of this part of his Majesty’s dominions.” This unhappy condition they ascribe, in a very great degree, to the hitherto unconstitutional abridgment of the duties of the Executive Council. It appears, from the proceedings of the House of Assembly, and from the reiteration of established opinion in the country, that neither will public expectation be satisfied, nor contentment be restored, until the system of local government is altered, and conducted according to the true spirit and meaning of the constitutional act. The delay of this just and indispensable course has already excited in the great mass of the people a lamentable jealousy and distrust, and has induced the discussion of constitutional changes, the desire of which, unless speedily arrested, by affording the unrestricted operation of the 31st. Geo. III, chap. 31, will not only become more fixed, but rapidly increase to a greater and irretrievable extent. The policy and measures which have led the Province to the present unpleasant condition, seldom passed under the review of the Executive Council, or were submitted for their advice. Nevertheless, its members have been undeservedly subjected to the heaviest reproach throughout the country from a prevalent belief that they have been called upon to fulfil the duties imposed upon them by the constitution, as advisers upon public affairs. But amidst the obloquy thus thrown upon them, they have studiously avoided any attempt at exculpation, by disavowing in their defence any participation in the conduct of affairs which they were erroneously supposed to have approved. The consequence of this silent endurance of political odium has been the perpetuation of the misbelief that the Exe-

cutive Council were conversant with the affairs of the Province, upon which they are appointed to advise; and although an opposite practice has generally prevailed between Governors and their councillors, yet it has ever been notoriously contrary to the state of things presumed by the community to exist. Public opinion respecting the Executive Council and their duties, has been founded upon the terms of the 31st Geo. III., to which statute the people used to express a firm attachment; an attachment which the Council believe never would have been impaired, had the constitution been administered, either according to its letter or spirit. \* \* \* \* \*

From the language of the statute it appears plainly: First, that there is an Executive council; secondly, that they are appointed by the King; that they are appointed to advise the King and his representatives UPON THE "AFFAIRS OF THE PROVINCE." No particular affairs are specified; no limitation to any particular or subject. As the constitutional act prescribes to the council, the "affairs of the Province," it requires equal authority of law to narrow those limits, or relieve the council from a co-extensive duty.

Every representative of the King, upon arriving from England to assume the government of this country, is necessarily a stranger to it; and the law has provided for a local council, as a source of advice, which, when given, is followed or not, according to his discretion. \* \* \* But while the constitution has assigned to the council this duty, it is only to a very subordinate and limited extent that they have hitherto had opportunity afforded them to perform it. It is admitted that the exigency of the statute can only be answered by allowing the affairs of the Province to pass under their review for such advice as their consciences may suggest, preparatory to the final and discretionary action of the Governor upon those affairs.—The council meeting once a week upon land matters, while the affairs of the country are withheld from their consideration and advice, is as imperfect a fulfilment of the constitutional act as if the Provincial Parliament were summoned once a year to meet, agreeable to the letter of the law, and immediately prorogued upon answering the speech from the throne. In both cases the true meaning and spirit of the constitutional act require that the Parliament should have a general and practicable opportunity to legislate, and the executive council to advise upon the affairs of the country. In the former case, the representative of the King can withhold the royal assent from bills;



and in the latter, reject the advice offered; but their respective proceedings cannot be constitutionally circumscribed or denied, because they need the expression of the Royal pleasure thereon for their consummation. \* \* \*

The people have long and anxiously sought for the administration of their government, under the representation of the king; and the council most respectfully, but at the same time earnestly, represent that public opinion upon the subject is so fixed, and becoming so impetuous, as to preclude the possibility of denying or delaying the measure, without increasing public dissatisfaction, and leading to the final adoption of other views, as already universally manifested, uncongenial to the genius of the constitution, and most dangerous to the connection with the parent state.—The remedy, it is feared, is now proposed too late for all the advantages desired; but the longer it is withheld, the more alienated and irreconcilable will the public become. The Council would be happy in establishing a system of government, according to the principles recognized by the charter of the liberties of the country—an expectation which the Council are most anxious to realize. Should such a course not be deemed wise or admissible by the governor, the Council most respectfully pray, that may be allowed to disabuse the public, from a misapprehension of the nature and extent of duties confided to them.

*Signed,* PETER ROBINSON.  
 GEORGE C. MARKLAND.  
 JOSEPH WELLS,  
 JOHN H. DUNN.  
 ROBERT BALDWIN.  
 JOHN ROLPH.

To this representation, Sir F. B. Head sent a reply, concluding with the following paragraph:

“The Lieutenant Governor, assures the Council, that his estimation of their talents and integrity, as well as his personal regard for them, remains unshaken; that he is not insensible of the difficulties, to which he will be exposed, should they deem it necessary to leave him. At the same time, should they be of opinion, that the oath they have ta-

ken, requires them to retire from his confidence, rather than from the *principles* they have avowed, he begs, that on his account, they will not for a moment hesitate to do so."

When the Council accepted office, their political principles were made known, and the conditions on which they would act were fully explained to Sir F. B. Head. He accepted their services, on those conditions, with the avowed retention of the opinions they had hitherto publicly entertained and acted on. It was, therefore, with pain, that they read the concluding part of Sir Francis' reply. That to retain "his confidence, and a seat in the Council, they must abandon their principles." They considered this proposition so offensively objectionable—so derogatory to the honor of the king—their own character as gentlemen; and so demoralizing to the community, that, without hesitation, they retired from the councils of a man, so palpably reckless of honor and character, as Sir Francis avowed himself. His Excellency contended that he would not take their advice upon the affairs of the Province, because it took away his responsibility, and that he would not consult the Council about the appointments to office, because it took away his *patronage*. If it was wrong to ask the Council their advice on the affairs of the province, was it not palpably, so, to make them bear the blame of his misgovernment?—His extraordinary conduct amounted to this, in the issue, that he would carry on an arbitrary government, not because it was the best calculated to advance the peace and prosperity of the country, but for the selfish purpose of displaying the extent of his power. For it was not contended that the constitution prevented him from consulting with the Council on all matters, if he was only desirous of doing so. Sir Francis now, threw off all disguise, and from the Reformer, to redress all their grievances, became the avowed enemy to all reform; abused the late Council in unmeasured terms, because, "they represented that all governors on their arrival from England, were necessarily wholly ignorant of the state of the Province, and the character of its inhabitants; it seemed, therefore, rational, and prudent to them, that before making appointments to office, he should receive the

advice of the Council, in conjunction with whom, he could make better inquiries, and arrive at safer conclusions, than by his own unaided judgment." In his reply to the Council, he declared that "*the Province had not the British constitution, nor its resemblance, nor any thing like a resemblance.*" This bold assertion, surprised all classes; for they were accustomed to believe that the governor represented his majesty; the council his ministers; the legislative Council the House of Lords, and the Assembly the House of Commons, with their respective spheres of operation. But Sir Francis, in his reply to the address of the Common Council of the city of Toronto, maintained that "*no Provincial administration existed in Canada, or any other of his majesty's colonies;*" "that its operation would be productive of the most vicious effects." Having coerced the new members, to resign and to render his administration supremely odious, in the face and teeth of the Assembly, he called to his council men of the most ultra tory character that could be found in the Province. The House of Assembly regretted, in their remonstrance to him, that when he was enabled through the late liberal Council, to conduct his administration in a manner efficient and satisfactory, calculated to allay all existing discontent, and preserve the peace, welfare, and good government of the Province, he should so hastily, rashly and disingenuously disappoint public expectation, and fill the Province with greater distress and apprehension, than ever prevailed upon the *alien* question. The House, respectfully but earnestly, urged the Lieut. Governor, to enforce the principles of the British constitution, respecting the confidential advisers of the government, and intimated an intention on their part, that if these just and reasonable wishes were any longer disregarded, they should withhold the supplies from the government. They declared their regret at the removal of the late Executive Council, and their entire want of confidence in the newly appointed members of it, and to prevent an open rupture, they humbly, but firmly requested him to take immediate steps for their removal. Sir Francis, nevertheless retained them, disregarding the wishes of the people, thus constitutionally expressed; and answered them

Very laconically, that "*he was responsible to none but the King.*" No alternative was now left the House, but to abandon their principles, privileges and honor, and to betray their duties, and the rights of the people; or to withhold the supplies; which was accordingly done. But previous to this, the citizens of Toronto addressed the governor as follows:

"We, His Majesty's dutiful and loyal subjects, the inhabitants of the city of Toronto, assembled under the authority of the Mayor of the city, beg respectfully to submit to Your Excellency, this, our address, containing the expression of our sentiments and feelings in reference to the late changes in the Executive Council, and of the opinions which have been expressed by Your Excellency as to the nature of the constitution of this Province.

That Col. Simcoe, the first as well as the ablest and most enlightened Lieut. Governor of this Province, who was a member of the Parliament of Great Britain, when the statute 31st Geo. III, chap. 31, commonly called the Constitutional Act, was passed, was the bearer of that Act to this colony, and was authorized undoubtedly, by his Majesty's government, to declare to his faithful subjects in this Province, the nature of the constitution, then about to be put into operation for their benefit, and who assured the people of this Province from the throne, on the opening of the first session of the Provincial Parliament, that the said act had established the *British Constitution*, and all the forms which secure and maintain it in this distant country," and "that the wisdom and beneficence of our Most Gracious Sovereign, and the British Parliament has been eminently proved, not only; imparting to us the same form of government, but also in securing the benefits of it by the many provisions that guard that memorable act, so that the blessings of an invaluable constitution thus protected and amplified, they might hope would be extended to the remotest posterity;" and that the same governor upon closing that session, specially enjoined upon the members of the Legislature from the throne to explain to the people of the country, "that this Province was singularly blest, not with a mutilated constitution, but a constitution which has stood



the test of experience, and was the very image and transcript of that of Great Britain."

That it is an essential and inalienable feature of the British constitution thus to assure us, that the King shall be assisted in all the affairs of government by the advice of known and responsible councillors and officers who possess the confidence of the people, and of the majority of their Representatives; and that our fellow subjects in the United Kingdom would indignantly resent any attempt to deprive them of this part of their constitution, as an infringement upon their most sacred rights and liberties, and a step taken to degrade them to the condition of slaves.

That the recent appointment by Your Excellency, of the Hon. John Rolph, Robert Baldwin and John Henry Dunn, Executive Councillors gave universal gladness and satisfaction throughout the Province, those gentlemen having been long known, beloved and respected for the talents acquirements, and virtues which adorn their characters; the liberal and patriotic principles that they entertain; and the important services which they have respectively rendered to the people of this Province; and that the selection of them by your Excellency, as your advisers, disposed his majesty's subjects to hope that a new and happy era had at length arrived in the history of this Province.

That we have learned with surprise and sorrow that those gentlemen, together with the former members of your Excellency's Council, have found themselves under the necessity of resigning their seats, and that your Excellency appears to us, to have taken offence for no other reason than the respectful expressions of an opinion in favor of the government being conducted on the acknowledged principles of the British Constitution; an opinion, supported by unanswerable arguments, and which they were bound by every obligation of honor and duty, as faithful councillors, to express to your Excellency.

That our most sincere respect and gratitude are due to those gentlemen, and their late colleagues in your Excellency's Council, for the noble efforts which they made in the honorable and upright discharge of their duties, to secure to the people of this Province the practical benefit and faith-

ful application of constitutional principles of the highest importance to their liberty and prosperity ; and that we are solemnly called upon at such a crisis to declare our firm and unalterable determination to resist every attempt to mutilate and deform our Constitution, by the denial of those principles, or the refusal of a full benefit and practical operation of them, and that the people of this Province, will never, in our humble opinion, be content with a system that is only a mockery of a free and *responsible* government.

That we feel it our bounden duty, to declare to your Excellency, that the gentlemen whom your Excellency has called to your Council, since the resignation of your late Council, do not in any degree possess the confidence of the people of Upper Canada.

We further humbly express our disappointment and regret at the remarks which Your Excellency has, by evil and unknown advisers, been induced to animadvert upon the circumstances under which your Excellency caused your late Council to resign ; and that respect which it is equally our duty and inclination to pay the Representative of our Most Gracious Sovereign, forbids our declaring on this painful occasion, any other feeling, than that of an earnest hope that the persons, whoever they may be, who have been guilty of such an abuse of your Excellency's confidence, may be forever discarded by your Excellency.

In conclusion, we beg leave to state to your Excellency, that as subjects of the British empire, we claim all the rights and privileges of the British Constitution, and as subjects of a British colony, possessing the powers of self government, given to it by the Parent State, we claim our right that the Representative of the Crown shall be advised in all our affairs by men known to, and possessing the confidence of the people ; and as the true friends of his majesty's government, and to the permanency of our connexion with the Parent State we earnestly entreat your Excellency to regard our opinions and remonstrances (firmly, though we hope respectfully expressed) and adopt measures to calm the present extraordinary state of public excitement, aggravated

by the high hopes created in the public mind by the removal of Sir John Colborne, and the appointment of your Excellency to the head of the Administration.

By order of the meeting.

*Signed*, T. D. MORRISON, Mayor.

*Chairman.*

JAMES LESLIE, *Sec'y.*

### HIS EXCELLENCY'S REPLY.

GENTLEMEN :—Having reason to believe that the meeting from which you are a deputation, was composed principally of the industrious classes and being persuaded that the liberal principle of the British government, in whatever climate it may exist, is the welfare and happiness of the people, I shall make it my duty to reply to your address with as much attention as if it had proceeded from either of the branches of the Legislature, although I shall express myself in plainer and more homely language.

1st. I have no wish to deny “that Col. Simcoe was the first as well as the ablest and most enlightened governor of this Province—that he was a member of Parliament when the Statute 31st Geo. III, chap 31, commonly called the Constitutional act was passed ; and that he was the bearer of that act to this colony ;” but I ask you, can this possibly alter the solemn act itself ? For surely your own plain good sense will tell you, that Col. Simcoe had no more power, either during his first voyage or on his arrival here, to alter the charter committed to his charge, than I had power to alter the Instruction which I lately delivered from his majesty to both Houses of your Legislature ; and so if Col. Simcoe, instead of saying that the constitution of this Province “was the very image and transcript of that of Great Britain,” had thought proper to compare it to the arbitrary governments of Russia or Constantinople, it would in no way have injured your liberties, or altered one single letter of the written charter of your land.

2d. I have no wish to deny “that in the British constitution, the King is assisted in all the affairs of government,

by the advice of known and responsible councillors and officers, who possess the confidence of the people," and who form his majesty's cabinet; but Col. Simcoe, who you yourselves state "was authorised undoubtedly by his majesty's government to declare to his faithful subjects in this Province the nature of the constitution," created no such cabinet nor any cabinet at all, and from his day, down to the present hour, there never has existed any ministry in the colony, except the governor, who is himself the responsible minister of the crown.

Supposing it were to be argued that four-fifths of the members of your house of Assembly ought immediately to be dismissed, because, in proportion to the population of Great Britain and Ireland there exist five times as many members here as in the English House of Commons would you not think it very irrational that this noble but thinly peopled colony should be made "the exact image and transcript of the British constitution," merely because Col. Simcoe happened to use these words? Would you not immediately appeal to your constitutional act on the subject?

Would you deem it just that a young rising Province like this, should be afflicted with the same expensive machinery requisite for the government of the mother country, 4000 miles off.

Would you not fairly argue, that as the whole population of this immense country exceeds only by one third that of the single parish of St. Mary le-bone in London—and as the whole of its revenue does not equal the private fortune of many an English commoner, it would be unreasonable to expect that the people of this Province should be ruined in vainly attempting to be the "exact image and transcript" of the British constitution.

But the constitution which His Britannic Majesty George the Third granted to this Province ordained no such absurdities; and you have only to read that constitution, to see quite clearly to the truth of this assertion.

The yeomen and industrious classes of Upper Canada should never allow a single letter to be subtracted from, or added to, this great charter of their liberties; for if once they permit it to be mutilated, or what may be termed improved,



they and their children become instantly liable to find themselves suddenly deprived of their property, and what is better than all property, of their freedom and independence.

By this act, you are of course aware that a House of Assembly, a Legislative Council, and a Lieutenant Governor are appointed; but it creates no Executive Council: and if people tell you that it does, read the act, and you will see the contrary.

Now, as regards the House of Assembly, you must know that being your Representatives, they are of course answerable to you for their conduct; and as regards the Lieutenant Governor, I publicly declare to you, that I am liable to dismissal in case I should neglect your interests.

But, contrary to the practice which has existed in this or any other British colony,—contrary to Col. Simcoe's practice or to the practice of any other Lieutenant Governor who has ever been stationed in this Province,—it has suddenly been demanded of me that the Executive Council are to be reponsible for my acts; and, because I have refused, at a moment's warning, to surrender that responsibility which I owe to the people,—whose real interests I will never abandon,—I find that every possible political effort is now making to blind the public mind, and to irritate its most violent passions. -

But I calmly ask, what can be the secret meaning of all this? Is it usual for one person to insist on bearing another person's blame? or for a body of men to insist on receiving the punishment incurred by an individual superior to them in station? Why, therefore, should my Council, whose valuable advice, if it were not to be forced upon me, I should be most anxious to receive, be required to demand from me my responsibility? What reason can exist for attempting to deprive me of the only consolation which supports any honest man in an arduous duty, namely: the reflection that he is ready to atone for every error he commits, and that he is subject to arraignment if he offends? Why should it be declared that responsibility would be more perfect with my Council than with me? Are they purer from party feelings, or less entangled with their family connections, than I am? How can gentlemen who have sworn to be dumb, be responsible to the yeomanry and people of this rising Province? How could they

possibly undertake to administer this Government, with mouths sealed by an oath which forbids them to disclose, to any one, the valuable advice they may conscientiously impart to me?

The answer to these questions is very short. The political party which demand responsibility from my council, know perfectly well that the power and patronage of the crown are attached to it; and it is too evident, that if they could but obtain this marrow, the empty bone of contention—namely: responsibility to the people,—they would soon be too happy to throw away; and from that fatal moment would all those who nobly appreciate liberty, who have property to lose, and who have children to think of, deeply lament, that they had listened to sophistry, had been frightened by clamor, and had deserted the Representative of our gracious Sovereign, to seek British justice from his mute but confidential advisers. This supposition, however, I will not permit to be realized; for never will I surrender the serious responsibility I owe to the people of this Province; and I have that reliance in their honesty—I have lived so intimately with the yeomanry and industrious classes of our revered mother country, that I well know, the more I am assailed by faction, the stronger will be their loyal support,—and that if intimidation be continued, it will soon be made to recoil upon those who shall presume to have recourse to it.

The grievances of this Province must be corrected—impartial justice must be administered: the people have asked for it—their Sovereign has ordained it—I am here to execute his gracious commands—delay will only increase impatience.—Those, however, who have long lived upon agitation, already, too clearly see their danger; and with surprising alacrity, they are now taking every possible measure to prevent me from rooting up the tree of abuse, because they have built and feathered their nests in its branches. They asked, however, for the operation, and to amputation they must very shortly submit; for “what’s worth doing should always be done well.”

I have come here for the avowed purpose of reform, but I am not an agitator; and, by command of our gracious Sovereign, I will maintain the constitutional liberties of his subjects in this Province, and at the same time encourage, to the utmost of my power, internal wealth, agriculture, commerce, peace and tranquility.

With respect to my late Council, I regret, quite as much as you can do, their resignation; but, before they took the oath

of secrecy, (which appears to my judgment, to be an oath of non-responsibility to the people,) I addressed to them a note which clearly forewarned them, as follows:—"I shall rely on your giving me your unbiased opinion on all subjects respecting which I may feel it advisable to require it."

Three weeks after they had joined the Council, they altogether, in a body, disputed this arrangement; and accordingly we parted on a matter of dry law.

No one can deny that my view of the subject agrees with the practice of Col. Simcoe, and of all the succeeding Governors of this Province, down to the day of Sir John Colborne's departure; but that is no proof whatever that the practice has been right,—and, if you would prefer to form your own opinion of the law, read the Constitutional act.

With respect to my new Council, whose high moral character I cannot but respect, I shall consult them as unreservedly as I had promised to consult those who have just resigned; and if any competent tribunal shall pronounce that they are responsible for my conduct, no one will be a greater gainer than myself by the decision.

In the meanwhile I shall deal openly and mildly with all parties; and I trust that I can give you no better proof of my own intention to be governed by reason, than the explanation I have just offered to yourselves, the citizens and industrious classes who attended the Toronto meeting.

True Copy.

J. JOSEPH, Sec'y.

### REJOINDER.

MAY IT PLEASE YOUR EXCELLENCY—

We thank your Excellency for replying to our Address "principally from the industrious classes of the City," with as much attention as if it had proceeded from either branches of the Legislature, and we are deeply sensible, in receiving your Excellency's reply, of your Excellency's great condescension, in endeavoring to express yourself in plainer and more homely language, presumed by your Excellency to be thereby to be brought down to the lower level of our plainer and more homely understandings. But we beg leave, in justification of those classes, to assure your Excellency that any comparison which may have passed in your Excellency's mind between them, and the more unfortunate and less favored, in the parishes of the parent state, is by no means founded in truth. The industrious classes of this city have, for many years, been serious-

ly impressed with the duty and importance of acquiring knowledge, for the general diffusion of which, they have by their own efforts, and at their own expense, (with the aid of generous and patriotic friends,) so far successfully labored, as to be able to appreciate good writing and fair reasoning.

We desire respectfully to inform your Excellency, in the plain and homely language of industrious men, that any supposed necessity for this great condescension of your Excellency, could not have existed, in any degree, had not past administrations sadly neglected our claims to the blessings of general education. Lest your Excellency should doubt our sufficient apprehension of the matter (though we have practically felt and suffered from the evil,) we humbly refer your Excellency to the language of our honest and honored representatives, at the opening of the present session of our Parliament—"We have also been anxious, in past years, to make the means of education general and easily available; but it has only lately become known to the Legislature, that a bountiful provision in lands was made by the Crown about 40 years ago, though since deteriorated, by a recent secret unfavorable exchange for inferior lands. The University of King's College was grounded on Royal Charter, sought for and granted in 1826, upon principles, so exclusive and sectarian, as to render it deservedly unacceptable to the great body of the people, for whose benefit it was, professedly, intended; and although the most reasonable modifications were suggested by a series of resolutions in 1829, yet it is now, for the first time, that your Excellency has been enabled to announce, from his Majesty's government, any specific proposition respecting it. Nor ought we fail to notice, that large appropriations have been made out of the University Fund, not to the district and township schools, undeservedly neglected, but to sustain Upper Canada College in this City, in which the sons of all the wealthiest families are educated, and which ought, therefore, to be supported, without so questionable an encroachment on public fund.

To this statement we can add, the untiring efforts of our representatives for the sale of the Clergy Reserves and the appropriation of their proceeds to the purposes of general education, have hitherto proved unavailing—and, although a philosophical apparatus purchased out of the taxes gathered from the people, in the year 1800, has ever since, been unused, mouldering and decaying in the garret of the Hospital; yet



when the industrious classes, after cleaning and repairing it, humbly solicited his late Excellency, Sir John Colborne, for the use of it, in their institute, it was peremptorily refused.

We, therefore, humbly pray your Excellency, under these mortifying and humiliating circumstances to accept the above painful facts, and extracts from the records of our Parliament, as an apology for any alledged necessity for your Excellency's gracious condescension, in using plainer and more homely language, for the level of our understandings.

But it is because we have been thus mal-treated, neglected, and despised in our education and interests under the system of government which has, heretofore, prevailed, that we are now driven to insist upon a change which cannot be for the worse. In the further language of our Commors' House of Assembly, we can aver that "the uniform experience of nearly half a century has forced the conviction, confirmed by the history of nations, that no richness of soil, or salubrity of climate, no wealth in public lands, or industry and economy among a deserving people, can insure their peace, welfare, and prosperity without the possession of those suitable institutions which will yield cheap, honest, and responsible goverament."

Now, your Excellency is pleased to answer us, on this occasion, by declaring, that the system of government which has prevailed from the time of Simcoe, is the best for us, although it has, by its vices, reduced us to so deplorable a condition of grievances, that even your Excellency recognises it, this day, in the following just and sententious language to us—

"The grievances of this Province must be corrected; impartial justice must be administered; the people have asked for it; their Sovereign has ordained it; and I am here to execute his gracious commands; delay will only increase impatience."

Thus is the exigency of our affairs frankly admitted by your Excellency, in both the Civil and Judicial Departments; and surely it is the province of wisdom, not merely to relieve the present exigency but to remove the causes which have produced it, in the past, and will, if suffered to continue, re-produce it in the future; for the like causes will ever produce the like effects. However much, therefore, we might command the attention of your Excellency to see that "the grievances of this Province" are redressed, and "impartial justice administered," we are determined, by means of institutions better organised and directed, to prevent the recurrence of such wrongs; be-

cause it is wiser to prevent evil, than to hazard the correction of it, after it has arisen, or has perhaps, become inveterate.

Your Excellency is pleased to say, "I am here to execute," &c. But your Excellency's predecessors throughout the history of this country have made similar professions yielding however, nothing but bitter disappointment. The issue of the administration of a Gore, a Maitland, and a Colborne, has been equally disastrous; each, in its commencement, holding forth expectations as flattering as those from your Excellency; but each, finally, aggravating our need for "grievances to be redressed, and impartial justice to be administered." But the very fact, that your Excellency has begun, like your predecessors, is a reason for apprehending the same result; for it would be offensive to your Excellency to assume that they were less wise, impartial, and honorable than any who may ever succeed them. The hopes of amelioration from each successive Governor have been uniformly delusive; and candor obliges us to assure your Excellency, that even in this early period of your government, our condition has become more deplorable than ever, and the very nature and stability of our institutions involved in alarming uncertainty.

While our condition has been thus growing worse, under a succession of new Governors from England, they having been responsible to the Minister in Downing Street. With our plain and homely understandings, we cannot comprehend how a responsibility to Downing Street, having failed of any good, with all your predecessors, should be all availing in your present government; for it is the same responsibility in nature and degree; it is regulated by the same instructions; it is rendered to the same distant government, 4,000 miles off, and guarded by such a system of secret despatches, like a system of espionage, as to keep in utter darkness the very guilt, the disclosure of which could, alone, consummate real and practical responsibility.

Dalhousie and Aylmer, in Lower Canada, and Gore, Maitland, and Colborne in Upper Canada, have, severally, misgoverned their respective Provinces. The two former have been impeached by the people, through their representatives, and their very crimes, instead of meeting punishment, have raised them to higher honors. And although the three latter have severally retired from our country, after misconducting our affairs, under a nominal responsibility to Downing Street, till they had engendered an imperious necessity "for the correction

of our grievances and the impartial administration of justice," yet in every case, they have been promoted higher, in direct proportion to the complaints of the people, without any redress for their wrongs, or even censure of their oppressions. We do not mean, in our plain and homely statement, to be discourteous by declaring our unalterable conviction, that a nominal responsibility to Downing Street, which has failed of any good with the above gentlemen of high pretensions to honor, character and station, cannot have any magic operation in your Excellency's administration, which should it end, as it has, unhappily, begun, might make us drink the cup of national misgovernment to the very dregs without (as experience proves) redress on our part, or retribution on yours. "Facts are stubborn things. It is a mockery to invite us to rest our future hopes on an ineffectual, merely nominal responsibility, that has proved a broken reed, which it would be folly, ever again to rest upon.

Your Excellency has been pleased solemnly and publicly to declare, that being determined to hold an irresponsible, or more strictly speaking, an acceptable Executive Council, you hold yourself responsible for their acts, as well as your own; and considering the sort of Council you have about you, we cannot foresee the magnitude to which your Excellency's responsibility may extend. On your Excellency's account, therefore, as well as our own, we do humbly and heartily desire to see you surrounded by confidential servants, not likely to involve your Excellency or dissatisfy the country. We do not, however, understand how the Council can be called "non-respectable," when your Excellency voluntarily places yourself as a substitute, answerable for their misdeeds to the Minister in Downing Street. But who can avail himself of this responsibility, in order to seek any redress? Can it be reasonably required, that one of a community "whose whole revenue does not equal the private fortune of many an English commoner," shall carry his complaint 4,000 miles off, transmit the evidence, rebut any unjust defence, see lawyers and agents; in a long, tedious, protracted litigation in Downing Street, worse than a suit in chancery, where, before the matter can be investigated, one minister succeeds another so rapidly as to defy continuous inquiry.

This responsibility to Downing Street has never yet saved a single martyr to Executive displeasure. Robert Gourlay

still lives in public sympathy, ruined in his fortune, and overwhelmed in his mind, by official injustice and persecution; and the late Capt. Matthews, a faithful servant of the public, broken down in spirit, narrowly escaped being another victim.—The learned Mr. Justice Willis, struggled in vain to vindicate himself and the wounded justice of the country; and the ashes of Francis Collins and Robert Randall lie entombed in a country in whose service they suffered heart-rending persecution and accelerated death. And even your Excellency has disclosed a secret despatch to the Minister in Downing Street, (the very alleged tribunal for justice,) containing a most libellous matter against Wm. Lyon M'Kenzie, Esq. M. P. P.; a gentleman known chiefly for his untiring services to his adopted and grateful country. We will not wait for the immolation of any others of our public men, sacrificed to a nominal responsibility, which we blush to have so long endured for the ruin of so many of his Majesty's dutiful and loyal subjects.

It is easy to say when wrong is done by the Executive Council of the Province, to any individual or individuals, the Governor is responsible for them to the Minister at Downing Street; but for all practical ends, it might as well be said, at our antipodes. Your Excellency asks us, with reference to your late Council, "Is it usual for one person to insist on bearing another person's blame?" It seems, may it please your Excellency, to have been usual to do so, for you insist upon being answerable for the acts of your Council, against their will. But inasmuch as it appears to your Excellency, as well as to our plain and simple minds, unreasonable for one man to insist on bearing another person's blame," we the more earnestly insist that the Executive Council should bear their own blame, and not saddle it upon your Excellency, however graciously disposed your Excellency may be to assume it.

Your Excellency is pleased to say, that, the political party which demands responsibility for my Council, know perfectly well, that the power and patronage of the Crown are attached to it, and it is too evident that if they could but obtain this marrow, the empty bone of contention, namely, responsibility to the people they would soon be too happy to throw away." Respecting these strictures of your Excellency on the purity of their motives (which we deem most patriotic and honorable,) we forbear to offer any remark. "Charity thinking no evil." But confining our views to what can be gathered from the re-



presentations of your late Council, we had rather that the power and patronage of the Crown were exercised by your Excellency, after receiving the conscientious advice of your sworn advisers, known and acceptable to the people, than your Excellency's unadvised and arbitrary pleasure; and we think the case rendered even worse, by the interference of a minister 4000 miles off, too distant from the scene of government, and too unacquainted with our complicated localities to form a judgment upon which he ought to decree, or with which the people interested ought to be satisfied. What your Excellency is pleased to call the "marrow of the bone," is constitutionally intended to nourish, enrich and benefit the "industrious classes" and the whole community; and your Excellency's candor, will no doubt pardon our reluctance wholly to confide (without the advice of your Council) to your Excellency as "a stranger lately arrived among us, ignorant even of the political differences of the parent state, and avowedly unacquainted with the wants and condition of this Province."

We beg leave to assure your Excellency, that the "bone" to which your Excellency alludes, has been in the keeping of successive Governors responsible to the Minister in Downing Street; and at one time it abounded with "marrow," and was even the nucleus for much solid and valuable nutriment, all intended to form a source of national wealth to be improved, husbanded and applied for our peace, welfare and good government. It is with profound, and we greatly fear with unavailing regret, we inform your Excellency that while subject to the above custody and responsibility, the "bone" had been pecked so bare as to leave little of the "marrow" behind.

Under these circumstances we hope your Excellency will commend the 'industrious classes,' and others for so far learning wisdom from woful experience, as no longer to confide their best present and future interests, their civil and religious liberties, and all that endears a man to his country or to the world, to a succession of Governors, nominally responsible at Downing Street, to a succession of ever changing Ministers. It is unreasonable to expect it; we should betray our country to consent to it.

We cannot altogether agree with your Excellency that "the only consolation which should support an honest man in an arduous duty is the reflection that he is ready to atone for every error he commits, and that he is subject to arraignment if he offends." The highwayman and the pirate might and often

have pleaded the same; have even been ready to make atonement by restitution, and after 'arraignment' expiated their crimes according to law. But a Statesman, a Governor, or a King, is presumed to be influenced by higher motives and more exalted principles. The discharge of even an arduous duty, cannot, and ought not, to be satisfactory to us, if performed in an unconstitutional way. In some countries the end gained, however valuable, might be so tainted by the means, as to make it treason. We desire, not only to be governed well, but to be governed constitutionally; at the very least, according to the present charter of our liberties. The fear of personal liability to 'atonement' or 'arraignment' is a very subordinate protection against the abuse of power, when the complaint is made against a person entrenched in authority, and armed with patronage; whose very breath confers influence and office, or takes them away; whose liability is to the very Minister who is his patron, and is naturally disposed to view even his aberrations with a favorable and excusing eye. On that account, among others, we desire, in our government, some higher security than a disposition to atone, or a liability to arraignment, in its nature and circumstances, almost impracticable and almost always unsuccessful.

It is on this account, may it please your Excellency, we desire to see every Governor surrounded by confidential advisers; who, from their local knowledge, can supply with sworn advice as the surest means of preventing error or the humiliating necessity of 'atonement' or 'arraignment' for it. According to Holy Writ "in a multitude of counsellors there is safety;" it is, therefore, natural for us, rather to wish to see the management of our affairs, by your Excellency, with the aid of an acceptable Council, than by your Excellency alone. Your Excellency must take advice, upon assuming a new government, in a country in which you are a stranger; and it has been, to us, a source of painful mortification and disappointment to find that your Excellency was consulting irresponsible individuals, neither possessing, nor entitled to political confidence, even to the humiliating exclusion of your sworn advisers, provided by law and selected by yourself. Hence it is that there has been scarcely a single act of your administration satisfactory to the community your Excellency perhaps intended to serve.

It is against ourselves and our friends engaged in the common cause of constitutional government, that your Excellency seems to direct the charge of preventing your "rooting up the

tree of abuse because they have built and feathered their nests in its branches." In this 'tree' many indeed have 'built and feathered their nests;' but heretofore Reformers have never been allowed even to perch upon its branches, repose in its shade, or partake of its fruit. The ultra-tories, who have unhappily held your Excellency's ear and confidence, have enjoyed a complete monopoly; and it is an historical fact, that our Governors, among the rest, have 'built and feathered their nests,' and then carried their accumulated wealth, with themselves, out of the country. We trust your Excellency will feel on this subject how unjust it is that a community (as your Ex. observes) whose public revenues do not exceed the income of many a commoner in England, should be called upon to pay for the administration of even an irresponsible government, a sum almost equal to that received by the President of the United States, with a transcendant wealth and power that put our comparative condition to shame.

We are surprised at the information your Excellency gives us, that the Executive Council of the Province is "sworn to be dumb;" for we always thought they were sworn to advise the King and his Representative upon our affairs. Supposing your Excellency were so far to unseal their mouths as freely to receive their advice, we see no difficulty in its being given secretly, yet responsibly. In England, Ministers give their advice, under an oath of secrecy, and are still responsible.—There can be, therefore, no greater inconsistency in such a relation subsisting between your Excellency and your Council. Actions often indicate more strikingly than words; and altho' your Councillors cannot reveal what they say, the whole country can see what is done. We care not how dumb they are out of the Council, if their mouths are not sealed in it, and the Province is allowed to feel and enjoy the manifest fruits of their counsel, without knowing what it was. The Council should be responsible for giving good advice, while your Excellency would retain enough of responsibility by deciding upon it. We should not the better esteem a judge who refused to listen to an argument before he gave a judgment; or a jury who sealed their ears against the charge of a judge, in order to manifest their self sufficiency in giving a verdict. The judge condescends to hear the argument of a counsel; the jury listens to a judge's charge, and your Excellency should, it seems to our "plain and homely" minds, listen on all subjects, to the conscientious advice of the sworn advisers, selected by yourself, for their "talents and integrity."

We have carefully read, as your Excellency recommended, the Constitutional act, and, although your Excellency assures us, that by it "a House of Assembly and Legislative Council and a Lieut. Governor are appointed, but that it creates no Executive Council," yet we read so clearly, in three several places, almost the very same comprehensive words, viz:—"With the consent of such Executive Council as shall be appointed by his Majesty, his heirs and successors, within such Province, for the affairs thereof," that we must believe some evil and irresponsible advisers have put into your Excellency's hands a mutilated copy of our Constitution. We cannot reconcile your present declaration with your reply to your late Executive Council, in which your Excellency distinctly admits, that the most liberal construction, which can possibly be put upon that act amounts to this: "that as an Executive Council was evidently intended to exist, the remnant of the old one ought not to be deemed totally extinct, until its successor was appointed. However this latent intention of his Majesty to create a Council for each of the Provinces of his Canadian dominions, was soon clearly divulged in a most important document, commonly called the 'King's Instructions,' in which the Executive Council was regularly constituted and declared as follows: "Whereas we have thought fit, that there should be an Executive Council for assisting you, or the Lieut. Governor or person administering the government of the said Province of Upper Canada," \* \* \* "and to the END that our said Executive Council may be assisting you in ALL affairs relating to our service, you are to communicate to them, so many of our instructions, wherein their advice is mentioned to be requisite, and likewise all such others, from time to time, as you shall find convenient for our service to be imparted to them."

It is therefore as plain as law can be written, that the Constitutional act provided for the appointment, by his Majesty, of an Executive Council, and that the King has, accordingly, created such a Council "to the end that they might be assisting your Excellency in all affairs relating to his Majesty's service." This council so organized, is now as much a part of our constitution, as the great council of Parliament. The law allows the people to elect the House of Assembly, and gives the King the power of summoning whom he pleases to the Legislative and Executive Councils; all are alike created or provided for by this act, though it does not specify by name, the particular individuals to constitute either of them.



We welcome the concession of your Excellency, to the merit of the able and enlightened SIMCOE, to whose memory we would cheerfully erect a monument. We never said that that justly revered representative of the King either did or could alter the law. But we still think, that an able and enlightened man, who assisted in passing the law, amidst all the debates upon it, and who was first commissioned to put it into operation, was, of all men, best qualified to explain that law and its intended scope and application. SIMCOE, with all his personal knowledge about the law and law givers, declared that it was intended to give us, not a mutilated Constitution, but one "THE VERY IMAGE AND TRANSCRIPT OF THAT OF GREAT BRITAIN;" your Excellency, on the contrary, after the lapse of nearly half a century, asserts, that neither the law nor the law givers, of whom Simcoe was one, ever gave or intended to give what Simcoe, in the name of the King, solemnly announced from the Throne.

In England, our fellow-subjects have a King, with his Executive Council, (commonly called his Privy Council,) a House of Lords and a House of Commons: in this country we have corresponding institutions, viz: a representative of the King, with an Executive Council, a Legislative Council and a House of Assembly. We only ask that these institutions should be put into operation in a manner corresponding to what is practiced in England, and consequently that the Executive Council, under oath, should as fully and freely advise your Excellency on affairs here, as the Privy Council, under oath, advise his most gracious Majesty. This is what the Constitutional act implies,—it is what Simcoe announced,—it is what our liberties require, and what nothing, without our own consent, can lawfully abridge or take away.

If your Excellency will not govern us upon these principles, you will exercise arbitrary sway,—you will violate our charter,—virtually abrogate our law and justly forfeit our submission to your authority.

We have the honor to be, Sir, your Excellency's

Most obedient, humble servants,

JESSE KETCHUM,  
JAMES H. PRICE,  
JAMES LESSLIE,  
AND W. McGLASHAN,  
JAMES SHANNON,  
ROBERT McKAY,  
M. McLELLAN,

TIMOTHY PARSONS,  
WILLIAM LESSLIE,  
JOHN MILLS,  
E. T. HENDERSON,  
JOHN DOEL,  
JOHN E. TIMS,  
WM. J. O'GRADY.

Great as was the constitutional question, for which the country contended, yet it was simple in its nature. They had under the 31st Geo. III, an Executive Council constituted by the royal instruction; this Executive Council they desired to see discharging the duties belonging to it; as it is the duty of Parliament to legislate, so they considered it the duty of the Executive Council to advise. They simply proposed that all public affairs, appertaining to the administration, should pass under their review, preparatory to the final and discretionary action of the governor upon them; and, assuredly, the people, upon whose affairs and highest interests, the advice is given, should be allowed to see the representative of the King surrounded by men, alike possessing his confidence, and that of the country. The great question, then, before the country, was not whether they should have the constitution and form of government of the United States, introduced and established among them, but simply whether they, his majesty's subjects in Upper Canada, should enjoy the acknowledged principles of the British Constitution—whether they should have the same rights and privileges, that their fellow subjects in the United Kingdom enjoyed, and which had always, heretofore, been admitted in theory, although denied in practice; whether the advisers of the Lieut. Governor were men of sound liberal principles, and possessing the confidence of the people whom they were sworn to serve, or persons unknown and irresponsible, and consequently, under no restraint or accountability, for the advice they gave.

Quite different was the view that Sir Francis took of the subject. In his reply to the Council, he declared that the constitutional act considered him only in the capacity of a minister, liable for his own acts and those of his council, that it was, therefore, optional with him whether he should consult his constitutional advisers or not; but when it was proposed in the House to impeach him, he shifted from the character of a mere minister, into a representative of the King, who "*could do no wrong*," and is above all law; one day he was a minister, in order to assume power and act wrongfully, another day he was the representative of the King, to oust the courts of justice of their jurisdiction. The

despotic and unconstitutional principles announced and defended by him, and his avowed determination to adhere to them; the tyrannical and unjust course pursued by him, towards the late council, the bitterness of feeling which he was known to entertain toward all who thought it their daily duty to oppose him; the intention which his public acts evinced to perpetuate and aggravate, and to cherish the system, and favor the party so much fostered and complained of under his predecessor, destroyed all future hope of a just and equitable administration of the government.

The House of Assembly remonstrated, warmly, against the unconstitutional manner in which he discharged his late council, in the following address :

“We, His Majesty’s dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled humbly beg leave to inform your Excellency, that we have with deep regret learned that your Excellency, has been induced to cause the late Executive Council to tender their resignations to seats in the Council, under circumstances which still enabled your Excellency to declare, that your estimation of their talents and integrity, as well as your personal regard for them, remained unchanged; and that under the present excited state of public feeling in this colony occasioned by the recent proceedings between your Excellency and the late Executive Council, and the appointment of a new Council, (as appears by the Gazette Extraordinary of Monday the 14th March inst.,) composed of Robert B. Sullivan, John Elmsly, Augustus Baldwin, and William Allan, Esquires, this House feel it to be a duty they owe, alike to His Most Gracious Majesty, and to the people of this colony, whose representatives they are, to avail themselves of the first opportunity to declare at once to your Excellency the entire want of confidence of this House in the last mentioned appointments, and deep regret that your Excellency consented to accept the tender of resignation of the late council, and humbly request your Excellency to take immediate steps to remove the present council from such their situation.

MARSHALL S. BIDWELL, *Speaker.*

*Commons House of Assembly, }*  
 24th March, 1836. *}*

This Quixote, however, plunged from one extreme to another. He forthwith dissolved the House of Assembly, for presuming to advise him on the choice of his councillors. The affairs of the Province were thrown into confusion, and the people into a state of desperation, by this unexpected event; and to add to their already enormous grievances, he ordered as an addition to the public lands of the established church, 157,142 acres to be set apart in lieu of the clergy reserves not appropriated in the Huron tract! And 22,951 acres were granted as an additional endowment to the church of England clergy, for which patents were completed, and 4,118 acres as an endowment to the church of England, for which patents are *not* completed. 51,057 acres were set apart as glebes for the church of England, and 85,000 acres *recommended to be given* as glebes; 235,206 acres were applied for as glebes, by the Bishop of Quebec, to be selected thereafter; 1,262,250 acres of clergy reserves, to be disposed of for the benefit of the church. The above information was given to the Assembly by Mr. Sullivan in 1836. The following summer, Sir Francis as he was traveling through the London district, called at the tavern of Mr. Jesse Paulding, (now a citizen of Cleveland,) for a fresh set of horses, who very coolly told him, "that he would not disgrace his horses by hiring them to such an *outrageous cursed fool as he proved to be.*" Sir Francis heaved a sigh, scratched his head and proceeded with his fatigued span some ten miles, when he was apprehended for a horse thief, but was acquitted for want of proof. The person who caused him to be apprehended was one of the down east, green horned yankees, who, on finding his mistake, remarked very soberly, to the magistrate, before whom Sir Francis was examined, that the *cretur* might be a governor, for aught he knew, but he looked so tarnation guilty, that he took him for a horse thief, particularly, as the off horse looked exactly like the one he had lost.



## CHAPTER XV.

### The Long Parliament.

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On his return to Toronto, after this adventure, he had his fears, from the cold treatment he received in the London District, that he had acted rather impudently in dissolving so suddenly the House of Assembly. He was satisfied from his recent tour through the Province, that the Reformers were the most numerous; too honest to be bought and too resolute to be intimidated. He therefore, adopted the double plan—first, of appealing to their passions and their interests; and then, as his *forlorn hope*, he stimulated the Orangemen with the shillalahs, to drive them from the polls. Sir Francis was a whole souled, thorough going man; no half measures for him; the whole or nothing was always his motto. The radicals he must put down by all means, right or wrong. To attain his object, the most inflammable materials in the country were excited. All he said, and all he published, was calculated to arouse the worst passions of the human heart, and to urge on his emissaries and partizans to deeds of blood-shed. In the first place, he attempted to persuade the people, that the late Assembly contemplated, in conjunction with one or two leading gentlemen in the Lower Province, to invite an invasion from the State of New-York. In his reply to an address of certain electors in the Home District, he stated that “he was well aware that one or two individuals of the Lower Province, and the late House of Assembly in Upper Canada, inculcated the idea that this Province is about to be disturbed by the interference of foreigners, whose power and whose numbers will prove invincible. In the name of every regiment of militia in the Province, I publicly promulgate—*Let them come if they dare!!*”

But his address to the electors of the New-Castle District, if possible, transcends all that he had said or done before;

and would of itself be ground for his impeachment. "As your District," said he, "has now the important duty to perform; of electing representatives for a new Parliament, I think it may practically assist, if I clearly lay before you, what is the conduct I intend inflexibly to pursue, in order that by the choice of your new members, you may resolve either to support or oppose me, as you may think proper. I consider that my character and your interests are embarked in one and the same boat. If by my administration I increase your wealth, I shall claim for myself credit which it will be totally out of your power to withhold from me; if I diminish your wealth, I feel it would be hopeless for any one to shield me from blame.

"As we have, therefore, one common object in view, the plain question for us to consider is, which of us has the greater power to do good to Upper Canada? or in other words, Can you do as much good to yourselves as I can do for you? It is my opinion, you cannot! It is my opinion that if you choose to dispute with me, and live on bad terms with the mother country, you will, to use a homely phrase, only quarrel with your own *bread and butter*. If you like to try the experiment, by electing members who will again stop the supplies, do so; for I can have no objection whatever. On the other hand, if you choose fearlessly to embark your interests with my character, depend upon it, I will take paternal care of them both.

"If I am allowed, I will, by reason and mild conduct, begin first of all by tranquilising the country; and as soon as that object shall be gained, I will use all my influence with his Majesty's government to make such alterations in the land granting departments, as shall attract into Upper Canada the redundant wealth and population of the mother country. Men, women, and money, are what you want; and if you will send to Parliament members of moderate politics, who will cordially and devoid of all self-interest, assist me, depend upon it, you will gain more than you possibly can do, by hopelessly trying to insult me; for let your conduct be what it may, I am quite determined so long as I occupy the station I now do, neither to give offence, *nor take it*."

His next appeal was to the clergy, imploring them as they

valued the King's favor, or their own personal interests, to exert their pastoral influence with their respective congregations, to induce them to vote for the tory candidates.—Regardless of their sacred character, the peace and prosperity of the Province, these hireling sycophants, or rather wolves in sheep's clothing, obeyed the unholy mandate to the very letter. In public and in private, and even from the sacred desk on the Sabbath, they ceased not to scandalise the pure and patriotic intentions of the Reformers, and denounce them as enemies to the church and the "*faith once delivered to the saints*," for virtuously opposing the unconstitutional measures of a cruel, vindictive and tyrannical Governor. While these holy men were thus at work, Sir Francis, on his part, was not idle. He brought into play all the means of corruption which his high office placed within his reach. He issued out new commissions to militia officers throughout the Province; appointed in every county large batches of magistrates of the most ignorant and sycophantic characters; and to secure more permanently the interest and influence of the Orange faction, the Government House was painted inside and out with orange colors. But to secure the elections the more effectually, he adopted the most bare-faced and corrupt means of creating voters. He gave deeds for sand-banks whereon a spire of grass never grew, nor ever will, to thieves and murderers, confined for trial in the Toronto jail, to enable them to vote for his favorite candidate, and, afterwards pardoned them. Besides this, upwards of five thousand deeds were distributed through the Province to effect the elections. These deeds were promised to be delivered to the new voters; free of all charges, at the polls, on their giving their suffrages to the Tory candidates. They did so; each one demanding his patent as he voted; but the government agents had instructions of a different kind. They politely informed the unsuspecting voters that it was inconvenient to give them just then; but as soon as the elections were over they should be delivered; and they took their names alphabetically, to have them recorded in the Registrar's office at Toronto. The poor dupes believed all this, and remained at their own expense until the polls closed,

when they had the mortification of being told that their patents were boxed up the preceding evening, and forwarded to Toronto by the Governor's order, to be delivered to them there on paying the usual fees!! Could Satan himself, with all his cunning, beat this!!!

In one instance, an agent was despatched with 303 of these land patents to Simcoe to obtain votes against the martyr Lount; but finding no market for them there, Orange riots were resorted to; which turned the scale for the Tory candidate. Fifteen hundred were hawked about in the third riding of York, to oppose the undaunted M'Kenzie.

As another instance of the dishonorable means resorted to, by these craven officials to coerce the electors, Sullivan and Elmsley, honorable legislative councillors, went through the city of Toronto before the city election, and threatened the merchants and tradesmen with loss of custom and stoppage of bank credit. Among others they called upon Mr. William Ware, a highly respectable merchant; and when he candidly informed them that he should not vote for the Governor's nominee, they assured him that if he did not, they would not only withdraw their custom from his store, but would also stop his credit at the bank, and prevent his obtaining any further accommodation there!!

It was generally supposed that upwards of 250,000 acres were granted from the first of April to the thirty-first of July—exclusive of as much more to the Canada Company, to secure the return of a majority of Tory members. What these means fell short of accomplishing, the Orange shillalahs supplied.

Such were the instruments, and such the means, by which Sir Francis obtained one of the most bloody and audaciously corrupt Parliaments that ever disgraced any country, cursed even with such a mock representative government as is Canada.

Head became literally detested, not on account of his mean appearance, for that he could not help—but for his conduct. He ruined trade; destroyed confidence between man and man; denied them their constitutional rights; coerced the people according to the most approved rules of



the most tyrannical governments in Europe; interfered corruptly in the elections, until he obtained his desire of a mock Legislative Council; a dumb Executive Council, and a sham representation of the people.

As a man, he scrupled not at base falsehood; as a Governor, he involved the country in trouble; as an Englishman, he destroyed British interests; as the King's representative, he disgraced the dignity of the Crown, and alienated the affections of the people from the Imperial government; as the chief magistrate, he fostered discord, and brooded over anarchy until he produced bloodshed and rebellion. Many a worthy English nobleman suffered the penalty of death for lesser crimes than the author of the "Bubbels of the Brunners" perpetrated in Canada.

Immediately after the elections, the people delegated Dr. Charles Duncombe, M. P. P. for Oxford, to proceed forthwith to London, to represent the melancholy state of their affairs to the British government, as well as to urge the immediate recall of Sir Francis B. Head, and thereby save the country from anarchy and bloodshed. But Sir Francis having obtained, through a well arranged system of espionage, the nature of Dr. Duncombe's mission to the Colonial Office, despatched a Mr. Carey, to precede the Doctor with the following cunningly devised letter:

*"Toronto, July 16th, 1836.*

"The republican minority of course feel their cause is desperate, and as a last dying struggle, they have, I understand, been assembling at Toronto night after night for the purpose of appealing for assistance to his Majesty's government! Their convocations are so secret that it is impossible for me to know what passes there; but I have been informed, that they have actually despatched Dr. Duncombe, an American, and a rank republican, with complaints of some sort respecting the elections.

"I feel confident that your Lordship will discountenance this dark, unconstitutional practice of despatching agents from this Province to his Majesty's government, to make secret complaints against the Lieutenant Governor, which, of course, it is impossible for me to repel."

On the above despatch, Dr. Rolph, late member of the Executive Council, remarked in his place in the House of Assembly, "If it is a dark and unconstitutional practice to send agents to his Majesty's government to complain of such official conduct, as preceded and attended the late elections. If such conduct is to be approved by the very government from which the people ought to expect and to receive protection; if this co-operation of the Colonial minister, is to perpetuate a system abhorrent to every well regulated mind: repugnant to the constitution; subversive of liberty, and based in immorality; the future civil and religious rights of the country are doomed to extinction. Salvation can, in such case, only be expected, from the subversion of such a system from its foundation. Unless the evil is now effectually corrected, it will equally infect the future, as it has the past elections. The country must, therefore, remember that this execrable policy is not to be viewed in a speculative, but in a practical point of view. Shall we ever again have a free election? This fearful inquiry must be met by another. Will this execrable policy ever again be put in operation? I answer—it will! The same government, under the same system, will not hesitate to resort to the same means to gain the same ends. They will not blush to call these means "energy," "moral courage," and "forsight;" "services" worthy of "high and honorable testimony!" By these virtues we are hereafter to be governed! Canada must now make her choice between the manful redress of her grievances, or a lasting submission. It is the preservation or extinction of liberty. Repetition will be held corroboration; and renewed success will harden the workers of iniquity. It is a solemn, but unavoidable alternative. If you recognise these as *virtues*, and desire their transmission to your posterity, you have nothing to *do*; you have only to *suffer*. But if your nobler feelings rise in arms against *such virtues*, and the dire inheritance they will yield to your children and your children's children; if you value that purity of civil government which is Heaven's second best gift to man; if this rude blow has not severed your bonds of sympathy from your institutions, civil and religious, and all that endears a people to their country; if liberty shall not by this deadly outrage become

extinct, but rather rise from the panic, with renewed energy, and a more hallowed zeal; Canadians must nerve themselves with a fervent patriotism, and a christian spirit, to devise by all the constitutional means redress for the past, and salvation for the future."

When Dr. Duncombe arrived in London, he found, to his great surprise, the door of the Colonial Office closed against him; nor could he, in consequence of Sir Francis' letter, obtain even an outside hearing from the Colonial minister, Lord Glenelg. But the Doctor was not a man to be so easily diverted from his object. Being armed in a good cause, he resolved that, as the Colonial Office denied him ingress, the English public should be fully and faithfully informed of the unconstitutional and cruel manner in which their fellow subjects in Canada had been treated by the Colonial Office, since 1820, and the desperate steps Sir Francis B. Head had taken, to gratify his unhallowed ambition for despotic power by trampling upon sacred rights; perverting the Constitution; obstructing the course of justice; prostrating the energies of the country, and rendering the elective franchise of no avail by the vast sources of patronage at his command and disposal. These, with a detailed account of all their grievances, were published in one of the leading journals.

Alarmed at the pointed charges thus boldly preferred against the Lieutenant Governor, Lord Glenelg condescended at last to receive the petitions and charges; promising Dr. Duncombe, in the event of their proving true, to forward instructions for a new election, and the recall of Sir Francis. It is however worthy of record, that with all this information before him, established by irrefragible proof, Lord Glenelg, a peer of England and a minister of state, wrote, after Dr. Duncombe's departure for Canada, a despatch, dated the 8th of September, 1836, being in answer to the one from Sir Francis, dated the 16th of July, thus approving a course of conduct and policy which would scarcely find a parallel or an apologist in the darkest government in Europe:

"The King is pleased to acknowledge, with marked approbation, the foresight, energy, and moral courage by

which your conduct on this occasion has been distinguished. It is peculiarly gratifying to me to be the channel of conveying to you this high and honorable testimony of his Majesty's favorable acceptance of your services."

The style and drift of the above despatch need no comment.

By this secret despatch, it appeared plainly to the people that the Colonial minister had been playing a very dishonorable game, through the hands of the Lieutenant Governor—his private instructions approving and rewarding what his public despatches condemned as unconstitutional—secretly riveting the old grievances, while he publicly ordered their redress. Thus it was with the clergy reserve despatches; the education despatches; the ROYAL LIE about protecting the protestant churches, &c. Head's instructions were "M'Kenzie's grievance report," with Lord Glenelg's despatch commenting on it.

In this despatch Sir Francis was instructed to request the Assembly to establish a Board of Audit by law, and if, at the close of the Session, that was not done, to establish it himself. Did he do it? No; he had private information telling him that the order was got up to "blarney the radicals." Head was told, in the despatch, to recommend a commission to inquire into and diminish useless offices. In his private instructions he was told to call into requisition every means of bribery and corruption, which he fulfilled to the letter. He was told to keep all the officers in a system of subordination to him, and that he was to obey Downing street. The public despatch told Sir Francis, "the King is not prepared, just yet, to meddle with the Clergy Reserves." The private instructions hinted that it might be necessary to sell them to pay the English capitalists a part of the bribery money, known as the Provincial debt. Glenelg, in the public instruction, told Head to withhold no revenue information. An address from the Assembly was sent, subsequently, to learn the condition of the Crown office, and Head ordered an answer to be given, so framed as to conceal sixty thousand dollars default money. This his private instructions required him to do in such an emergency. In the public despatch, he is told to choose Justices of the Peace without political partiality. In the private one, and he followed it to the letter, the command was—"Choose none but tools;



oust all radicals! take occasion against all reformers, particularly if they are honest." The public instruction said, that the Governor would have to vindicate every act of his administration, in England. The private one told him to keep the Canadians poor, and Glenelg would share the mock responsibility. The public instruction, page 33, offers up the casual revenue for a proper civil list. The private one told him to include \$1,000 to the Methodists, and if the Assembly gulped the whole, to reserve it, and thus humbug the Canadians.—Every Briton of manly feeling, every Canadian of honest intentions, turned with abhorrence and disgust from a system which could only be carried into execution by measures so gross and astounding as these.

The people now saw through the mystery, why each succeeding governor exceeded his predecessor in mal-administering the affairs of the Province, as well as the reasons for which they were promoted previous to, or on their return to England.

On the receipt of the above despatch, Sir Francis' conduct became intolerable. He had the vanity to consider himself the Solon of Upper Canada—the ne plus ultra of a perfect legislator; and his kitchen sycophants, for selfish purposes, encouraged the conceit. All classes were fully satisfied that nothing now remained for them, but a tame submission, or an open assertion of their inherent rights, at all hazards. As soon as Dr. Duncombe returned, the central committee met to receive his report, and ascertain the result of his mission, which was by no means favorable. The new tory Parliament being now about to meet, in a few days the meeting adjourned, to prepare for the coming contest. McKenzie being taken sick and his life despaired of, the indefatigable Dr. Duncombe, although he failed in obtaining satisfaction for the people, from the Colonial Minister, was, nevertheless, determined to bring Sir Francis to a trial, even before his own mock Assembly, for TREASON and other high crimes, against the people. He did so, with the full knowledge that it was like bringing a thief to trial before a gang of thieves. The King's life being also despaired of, at this time Sir Francis' Parliament had no sooner met, than they passed a law, in the teeth of the Constitution, declaring their sitting permanent, for three years after the King's demise, and Sir Francis gave to it the royal assent.—Dr. Duncombe brought before the House, in due form, his cel-

celebrated bill, impeaching Sir Francis Bondhead, Lieut. Governor of the Province of Upper Canada, for TREASON and other high crimes, against the people; which, in effect, was like throwing a fire-brand at a nest of hornets;—they flew at the Doctor with the poisonous sting of their tongues, from all quarters. The learned and eloquent John Rolph, arose in the might of his intellectual strength, headed the little band of reform members, and with Dr. Duncombe, they withstood the shock of the onset and maintained their ground—bid defiance, and dared them to a fair combat. But they were guilty and dreaded the exposure; they turned and shifted—saw no hope; no way for escape. Fight they must, or suffer a disgraceful defeat. To evade the contest, at one time, they represented the Governor as standing in the King's shoes, who could do no wrong, and therefore above all law and beyond impeachment; at another time, they represented him only as a Minister, executing the orders of Downingstreet, and accountable to the King only. But all was to no purpose. They must stand trial, or be disgraced. There were no possible means of evading it, and they knew it. After much sparring and confusion, they consented to the appointment of a committee to investigate the charge and bring in a bill accordingly. With the exception of two members, this committee consisted of the Governor's creatures and hangers on; notwithstanding which, the reform party were so confident of establishing their point, that they even agreed to this one-sided measure. But they counted without their host. Sir Francis knew his men. He propitiated each of them, previously, with a slice from his own hand, and to show their gratitude, they perseveringly declined examining a single witness on oath; and after sitting day after day, and week after week, they at length, by a preconcerted stratagem, in the absence of the reform members, signed a report in behalf of the whole, presented it to the House and whitewashed Sir Francis all over, on the old principle, "ask my brother thief if I am a thief." The two reform members, finding themselves outwitted, by a trick as mean as it was contemptible, protested against the report as corrupt, insulting to the committee and unworthy the notice of the House. But the die was cast and the impeachment lost. But another of a more formidable and pointed nature, was shortly to be brought before them, in a different shape. McKenzie being now recovered, sent to the House the usual notice, that he would contest

the election of Mr. Thompson, for the 2d Riding of York, on the following grounds, viz:

"That at the last election for a member to represent the second Riding of the County of York, in the Legislature, William Hepburn, Esquire, acting Trustee to the Six Nations Indians, was the Returning Officer; and the candidates proposed, and for whom a poll was demanded and opened, were Edward William Thomson, Esq. the sitting member, and your petitioner.

That His Excellency, the Lieut. Governor, Sir F. B. Head, unduly interfered with the election and tampered with the rights of the Freeholders.

1st. By putting forth a variety of threatening, inflammatory harangues, in violent language, under the form of replies to certain addresses, which were circulated in the shape of handbills, evidently with the intention of biasing the minds of the yeomanry, previous to the then approaching election.

2d. By issuing new deeds after the prorogation and dissolution, and even after polling had commenced, with a view to prevent the election of your petitioner, who had been six times successively returned for the County and once for the Riding, for which he was, for the eighth time, a candidate.

3d. By allowing magistrates, persons dependent on his will, and others, who were to receive Crown deeds, on condition of performing settlement duties, to obtain their deeds, such duties nor having been performed, and this to influence the election.

4th. By inducing persons, with expectation of offices of honor and emolument, to violate the law, in order to prevent your petitioner's election—as, for instance, in the matter of Andrew Shore and wife, committed to jail, on a charge of grand larceny, by Alderman Denison; and by him and Alderman Gurnett, (the latter a most indefatigable agent in spreading the Lieut. Governor's political replies, through the Riding,) admitted Shore to bail, insufficient bail, contrary to the statute, which requires all such cases to be brought before one of the Judges of the Court of King's Bench, and allowed Mrs. Shore to go free. Shore

was instantly hurried off, by Mr. Gurnett, and his Constitutional Society connexions, to Streetsville to vote for the government candidate. For several months after, he was at liberty. He was convicted at the last Assizes of the crime of stealing, in a dwelling-house, and is now an inmate in the Penitentiary. Mr. Gurnett, the agent in this dishonorable affair, has, since the election, been promoted to a Commissionership, in the Court of Requests, in this city, in the place of Mr. Small, removed.

5th. By issuing Crown deeds, without a description of boundaries, under improper advice, in order to effect the election.

6th. By declining, or refusing to discountenance Orange lodges and party proceedings, although in possession of the Royal pleasure and the decision of the Legislature respecting them.

7th. By issuing Crown deeds for lands at Port Credit, although the conditions of sale had not been fulfilled, and by issuing such deeds, in some cases, to other persons than the original nominees or purchasers, although the practice has been not to sanction transfers by those who had no titles, except under the Heir and Devisee act.

8th. And, as your petitioner is advised, by contributing, with his officers, to funds, intended to affect the election; by issuing Crown deeds to individuals, upon the condition, expressed or implied, that they would vote for Mr. Thomson, and this, in some cases, without payment of the purchase money, or upon unusual terms.

That the returning officer, William Hepburn, Esquire, in the performance of the duties of his office at the said election, acted, in many respects, partially, illegally and ignorantly. Amongst others—

He administered the oath required to be taken by freeholders, under the statute 4th William IV., chap. 14, for several days after the commencement of the polling, invariably omitting the description of the estate, on which the elector voted, and substituting only the words "a freehold," notwithstanding the remonstrances of your petitioner against his doing so,—and your petitioner often endeavored to convince him that any person who had a freehold any



where, even if it were in England, could take such an oath as he had substituted. After several days, he began to swear the voters to the freehold they voted on, as by law required.

He rejected the votes of many electors who offered their votes for your petitioner, and refused to record their names or votes, and discouraged others from coming to the hustings, by deciding, on an objection to a vote raised by Mr. Thomson, that freeholders, born in the United States, or in any foreign country, should not vote, although they might have been resident in Canada half a century, and duly taken the oath of allegiance, and although they publicly offered to take the oaths prescribed by the Statutes, unless each voter, on presenting himself, could produce a paper, purporting to be a Commissioner's certificate, that he had taken the oath of allegiance, such paper not being evidence even when shewn.

Early in the election he permitted this class to go home, fetch the paper, and return and vote; but afterwards he laid down a rule, that if they had it not with them when asked, they could not return and vote.

There are many cases to be cited—your petitioner will refer only to two at this time, by way of illustration:

Andrew Cook, father of Jacob Cook, of Cooksville, one of the oldest freeholders in the Province, and who had voted at many elections, was turned from the hustings, because he had not a certificate with him, although he offered to take the oaths required by the statute.

Wait Sweet, an old freeholder, who has been half a century in Upper Canada, and voted five times for your petitioner, who took the oath of allegiance, before Col. Joel Stone, in 1801, and served in the last war, offered to vote, and asked to have the oaths required or prescribed by statute, to be administered to him. He was turned from the hustings, because his certificate was not in his pocket, his right to vote denied, and he was further told not to come back. But he soon returned with the Colonel's certificate of 1801, and a certificate of his war services, and he was turned from the hustings, and his vote rejected by the returning officer, who even refused to enter your petitioner's objections on the poll book.

These and similar illegal decisions, discouraged many voters, who considered that to be turned away from the poll in presence of their neighbors, as aliens, was an insult they could not well brook.

The returning officer did not act uniformly on any rule—he turned away many who offered to take the oaths—he admitted others.

Your petitioner had reason to believe that several brothers—Messrs. M'Grath—sons to the Church of England Clergyman in Toronto, one of them a Postmaster, another a Court of Requests Commissioner, Captain of a troop of horse, had no title to the property they voted on, the title being in the Crown, of which the returning officer had previously been apprized by them, and a mortgage intervening. Two of them would not answer any question put to them, either by candidates or returning officer, and the latter decided that they might vote on taking the oaths, which they did, and voted for Mr. Thomson; while those of Messrs. Sweet, Cook, and many more, were refused, although tendered by old and undoubted freeholders, who were also ready to be sworn.

After the returning officer had acted, for days, on his rule, that no person born in a foreign country, should vote without a certificate, a violent partizan of the Executive, Jacob D. Hagerman, came forward, admitted he was born in Germany, produced no certificate, and although it is understood that he and his brother, who voted out of the same lot, came in after 1827, and have not been naturalized, his vote for Mr. Thomson was recorded.

One Henry Miller, a drunken, disorderly character, who had been disturbing the poll for some time, and who has been often in the House of Correction here, was persuaded to tender his vote for Mr. Thomson—but although it was very doubtful whether he was aware of the nature of the oaths he took, and there was little reason to believe him a freeholder, his vote was at once recorded.

Postmasters and other dependent persons, excluded by the laws of England (adopted here) from interfering at elections, openly busied themselves, electioneered and voted, although your petitioner objected to these proceedings.

Other officers of the Government subscribed money, and actively busied themselves at the election. Funds were collected from persons connected with the Executive and others, and

employed in collecting, bringing up, treating and intoxicating voters against your petitioner—in keeping taverns and pot-houses, the resort of worthless and disorderly persons, open, free of cost, to them—and in collecting bullies and men of bad repute about the hustings, to the terror of peaceable farmers.

Priests, pensioned and hired by money paid them, by his Excellency and his government, busied themselves to prevent the freedom of election, and to bias the minds of the electors.

William B. Jarvis, Esquire, Sheriff of this District, interfered openly at the election—stood at the hustings with a whip in his hand, and harangued those present, reminding them that the reformers were their enemies, and must be put down. He then came forward as a voter, and made use of most violent and intemperate language, calculated to promote disturbance. This conduct the returning officer did not check.

And your petitioner is advised, that the said Edward William Thomson was a party, in several instances, to the treating, bribery, threats, promises, and other illegal steps, of which complaint is herein made; and he contends that the return of the said Edward William Thomson, as a member to serve in this present Parliament, is illegal, void, and unconstitutional, because he was not elected by the greatest number of qualified votes of the said Riding, as there is a majority of the said votes in favor of your petitioner—because the election was not lawfully conducted, but interfered with by the Lieut. Governor and his officers, by the Orange lodges, by the treating, force and violence, and by the partiality and injustice of the returning officer.

Bribery, intimidation and violence, as well as the unconstitutional exercise of the Royal prerogative and the Executive influence, were means made use of to induce electors to vote against your petitioner, or to prevent their voting for him, means utterly subversive of the freedom and purity of election.

Your petitioner further represents, that the freedom and purity of the election and the rights of the electors were violated by combinations of persons in illegal societies, known by the name of Orange Lodges, formed for political purposes, secretly, if not openly countenanced by his Excellency, the Lieut. Governor, and usually headed and aided by magistrates and other office-holders, and exercising, by means of these illegal associations, an unconstitutional power and influence in the said election.

Your petitioner humbly prays, that the election and return of the said Edward William Thomson, may be declared null and void, by reason of the matters herein before contained; that a new election may take place, so that the people may be truly and fairly represented; that the conduct of the Lieut. Governor, his officers, the returning officer and others, as above referred to, may be carefully inquired into, the result made known, and such proceedings had, if found necessary, as shall secure to the electors, in all time to come, a free and faithful representation in the Legislature.

And your petitioner will ever pray,

WM. L. MACKENZIE.

Toronto, 20th Dec., 1836.”

This was like a voice from the dead, or as a thunder-bolt in the dead of winter. There was no plausible ground for refusing or evading this petition of their uncompromising enemy. They knew the man and dreaded his ability to expose and prove the Governor's guilt, as well as their own. They knew he was capable of proving facts, respecting the late elections and other government corruptions, which would eternally disgrace them, in the eyes of every honest and impartial man, throughout the world, were he permitted a hearing. It was therefore sickening, to witness the miserable shifts, these jackalls of corruption adopted to prevent an investigation. However, after much wrangling and manœuvring, Friday the 27th of Jan'y, was fixed for the final engagement, between McKenzie and the friends of justice on the one side, and Gov. Head's corrupt household troops on the other. McKenzie appeared like a giant refreshed with new wine, impatient for the contest; declared himself ready to produce evidence on oath, and to give security to abide by the consequence. The reform members reminded the House that the 2d Riding of York had been selected from a hundred other places in the Province, as being the most convenient to the City, and from whence witnesses against Head and his corrupt agents, could be brought at little or no expense to the public. They pointed to the Bar and said: "there stands McKenzie's securities; no men of straw, but old, wealthy and respectable freeholders." But the Governor's champions, Draper and Hagerman, sat confounded and durst not look that way. The scene was highly interesting. The true representatives of the people, the little band of reformers, looked with contempt, at the slavish and craven



spirits opposite to them. With pride and exultation they looked at Mr. McKenzie, defying the whole host of official corruptionists, with a "dare ye go to trial." Old Judge Jonas Jones, with his six Judgships, hung his head and ate his own words; Ogle R. Gowan and W. Chisholm became invisible;—poor Baby Sherwood, with his upper lip double reefed, and "dumme Draper licked the kitchen soup plates, obeyed orders and were tremblingly mute! While in this state of despair, Speaker McLean, after much study, discovered a loop-hole through which to escape. It was this: The law requires the person contesting an election, or his attorney, to appear at the bar of the House and give security for costs, within fourteen days after the first reading of his petition. The Speaker is bound, at the same time, by the same law, to give the complainant, or his attorney, due notice, in writing, that his petition was received and read. He is also to notify the petitioner, or his attorney, the day and hour on which the case should come before the House; and if the complainant or his agent, neglected to appear at the time appointed, he should be debarred of any future remedy. McKenzie presented his petition in proper form, but it was not read until the second day after its presentation; consequently Mr. McKenzie counted the time from its reading, and did not appear with his securities until the last day. The Speaker, on his part, either designedly or unwittingly, neglected to give the usual notice required by law. Notwithstanding this, backed by a majority of the tory members, he insisted that the act meant fourteen days from the time the petition was introduced to the House, and not fourteen days from its first reading, and that, therefore, Mr. McKenzie was two days too late. In vain the reform members pleaded that McKenzie was, to all intents and purposes, within the limits prescribed by the Provincial act of the 4th of Geo. 4th, chap. 4th, especially as the Speaker neglected, on his part, to give the notice required by law. It availed nothing to remind the well drilled majority, that Speaker McLean's fourteen days were only twelve of the days allowed in all time past; that their proceedings carried extreme partiality and injustice on their very face; that their vote to crush inquiry would be, with the public, their sentence of condemnation; but they were alike deaf to reason and justice. When the yeas and nays were taken, fifteen were for inquiry, thirty-two against it.

The people of the Province were now thoroughly convinced, that had not the Governor and his party known, to a certainty, that McKenzie, instead of failing, would bring evidence enough to disgrace them in the eyes of all America, they would have allowed him to go on, and ruin himself with the expense of a contest which would have exceeded 2,000 dollars. But instead of this, they ignobly crept out of the small end of the horn, defeated the ends of justice and disgraced themselves. After this scene, all hopes of redress, from either government, were given up. The people saw with regret, their petitions and complaints, to the Imperial Parliament, spurned, their agents insulted and their oppressors, instead of being punished, promoted to higher honors. They saw themselves, also, governed by a clique of ruthless tyrants, over whom they had no control; who, setting all justice at defiance, appeared as reckless of their own character as they were regardless of their country's welfare.

## CHAPTER XVII.

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Great excitement throughout the Province.

Every moral and constitutional means being now exhausted, the people began to prepare for the worst. Union meetings were forthwith held in every township, and the following resolutions adopted:

"That the shuffling meanness and duplicity of the colonial office, evidenced in the contemptuous treatment of our accredited agents and petitions and the cordial reception of the hireling enemies of the people, have precluded all hope of redress from that quarter; and thrown reformers on their own resources for the means of freeing themselves from the grasp of a vile tory faction, and securing themselves and posterity the blessings of peace and freedom.

"That the corrupt and imbecile majority of the present "bread and butter" assembly being elected in direct opposition to the wishes of the main body of the people, by the most villianous and disgraceful means, and having, on the demise of the late king unconstitutionally lengthened out their existence, in contradiction to all precedents on similar occasions, we will not consider any laws they may pass as valid or binding on the inhabitants of this Province.

"That our present Lieutenant Governor, by his wickedly and corruptly interfering with the election;—his hypocrisy, prevarication and numerous perversions of facts, as in the case of the Bond and orange societies; his peurile vacillating policy towards the best interests of the country, has forfeited all pretensions to the distinguished characteristics of a gentlemen, and to all political sagacity as a statesman.

"That the thanks of this meeting are eminently due to Dr. Charles Duncombe, one of our worthy representatives, for his able and highly talented defence of the rights of the

people, his promptitude in repairing to England, at the request of the reformers of Upper Canada to lay before the British authorities the disgraceful and corrupt means employed by Sir F. B. Head at the late general elections to secure the return of the present "bread and butter" parliament whose base libel on his character we repel with the contempt it deserves.

"That the original intention of institutions for the purposes of government, being found on reciprocal support and benefit; when the government party become destroyers instead of supporters, an injury in place of a benefit, the compact is virtually dissolved, and the oppressed have an undoubted right to adopt any and every means for the maintenance of their rights and privileges.

That in accordance with the example of the wise men and heroes of 1776, we hold as self evident truths:—that they are endowed by their Creator, with certain inalienable rights; that among the number of these rights are life, liberty and the pursuit of happiness; that it is for the protection and security of these rights, that governments were instituted among men; deriving their just authority only from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, or to institute a new government, laying its foundation on such principles, and organising its powers after such form, as to them, shall seem best adapted to secure their safety and happiness.

"That instead of honestly redressing our grievances and abuses, as in duty bound, the British government and the two houses of Imperial parliament, have destroyed the fundamental rights of the colony, in order to reduce and force the people into a base subjection to the oppressions which are preparing for them; that having exhausted the cup of reconciliation to the very dregs, we do now, henceforth, and forever, renounce all intercourse with the British government—that we will arm ourselves with rifles or muskets, and maintain our political and religious rights inviolate, at all hazards, let the consequence be what they may."

Such, at this time, was the state of public feeling in both provinces. In the Midland, New Castle, Home, Niagara



Gore, London and Western districts, the people were arming themselves, and drilling in small companies, in the face of the authorities.

On the 13th Nov. 1837, a large convention of the freeholders farmers, mechanics and other inhabitants of Toronto, met at the Royal Oak Hotel, to consider of, and take measures for effectually maintaining in the colony a free constitution and democratic form of government.

Previous to the adoption of the constitution, the famous and spirited address of the confederation of the six counties to the people of Canada was read as follows :

FELLOW CITIZENS :—When a systematic course of oppression has been invariably harrassing a people, despite of their wishes, expressed in every manner, recognised by constitutional usage, by popular assemblies, and by their representatives in parliament, after grave deliberation ; when their rulers, instead of redressing their various evils, produced by their own misgovernment, have solemnly enregistered and proclaimed their guilty determination to sap and subvert the very foundations of civil liberty, it becomes the imperative duty of the people to betake themselves to the serious consideration of their unfortunate position ; of the dangers by which they are surrounded—and by well concerted organizations, to make such arrangements, as may be necessary to protect, unimpaired their rights as citizens and their dignity as freemen.

The wise and immortal framers of the American declaration of independence, embodied in that document the principles on which alone are based the rights of man, and successfully vindicated and established the only institutions and form of government, which can permanently secure the prosperity and social happiness of the inhabitants of this continent, whose education and habits, derived from the circumstance of their colonization, demand a system of government entirely dependent upon, and directly responsible to, the people.

In common with the various nations of North and South America who have adopted the principles contained in that declaration, we hold the same holy and self evident doctrines, that God created no artificial distinctions between

man and man ; that government is but a mere human institution formed by those who are to be subject to its good or evil action ; intended for the benefit of all who may consent to come, or remain under, its protection and control ; and therefore, that its form may be changed whenever it ceases to accomplish the ends for which such government was established ; that public authorities and men in office, are but the executors of the expressed will of the community, honored, because they possess public confidence, respected only so long as they command public esteem, and to be removed from office the moment they cease to give satisfaction to the people, the sole legitimate source of all power. In conformity with these principles, and on the faith of treaties and capitulations entered into with our ancestors, and guaranteed by the Imperial Parliament, the people of this Province have for a long series of years complained by respectful petitions of the intolerable abuses which poison their existence and paralyse their industry. Far from considering our humble prayers, aggression has followed aggression, until at length we seem no longer to belong to the British empire for our own happiness or prosperity, our freedom or the honor of the British crown or people, but solely for the purpose of fattening a horde of useless officials, who not content with enjoying salaries enormously disproportioned to the duties of their offices, and to the resources of the country, have combined as a faction, united by private interest alone, to oppose all reforms in the Province, and to uphold the iniquities of a government inimical to the rights and liberties of this colony.

Notwithstanding, the universally admitted justice of our demands, and the wisdom and prudence of remedying our complaints, we still endure the misery of an irresponsible executive, directed by an ignorant and hypocritical chief ;—our judges dependent for the tenure of their office on the mere will and pleasure of the crown ; for the most part the violent partisans of a corrupt administration. have become more completely the tools and mercenaries of the executive by adopting the wages of their servility, in gross violation of every principle of judicial independence, from foreign authority, without the intervention of the people to whom,

through their representatives, belongs the sole right of voting the salaries of their public servants; the office holders of the province devour our revenues in salaries so extravagant as to deprive us of the funds requisite for the general improvement of the country, whereby our public works are arrested, and the navigation of our rivers continue obstructed; a legislative council appointed by men resident three thousand miles from this country, and systematically composed so as to thwart and oppose the efforts of our freely chosen representatives in all measures for the promotion of the public good, after continuing unchanged during the present administration, thereby depriving the country of the advantages of domestic legislation has at length been modified in a manner insulting to all classes of society, disgraceful to morality, and to the annihilation of the respect and confidence of all parties in that branch of the legislature, by the introduction of men for the most part notorious only for their incapacity, and remarkable alone for their political insignificance, thus making evident even to demonstration, to all, whatever may be their preconceived opinions the propriety and urgent necessity of introducing the principle of election into that body, as the only method of enabling the Provincial Legislature to proceed beneficially to the despatch of public business.

Our municipalities are utterly destroyed; the country parts of this province, as a disgraceful exception to the other parts of this continent, are totally deprived of all power of regulating, in a corporate capacity, their local affairs, thro' freely elected parish and township officers; the rising generation are deprived of the blessings of education, the primary schools which provided for the instruction of fifty thousand children having been shut up by the Legislative Council, a body hostile to the progress of useful knowledge, and instigated in this act by an Executive inimical to the spread of general information among the people. The Jesuit's College, founded and endowed by the provident government which colonized this Province for the encouragement and dissemination of learning and the sciences therein, has, with a barbarism unworthy the rulers of a civilized state—disgraceful to the age in which we live, and unpar-

alleled even among the Goths and Vandals, been converted into, and is still retained, as a barrack for soldiery, whilst the funds and property devoted to the support of this and similar institutions have been, and continue to be, squandered and mal-administered for the advantage of the favorites, creatures and tools of the government. Our citizens are deprived of the benefits of impartially chosen juries, and are arbitrarily persecuted by the Crown officers, who, to suit the purposes of the vindictive government of which they are the creatures, have revived proceedings of an obsolete character, precedents for which are to be found only in the darkest pages of British history. Thus, our judiciary being sullied by combined conspiracies of a wicked Executive, slavish judges, partizan law officers, and political sheriffs, the innocent and patriotic are exposed to be sacrificed, whilst the enemies of the country, and the violators of all law, are protected and patronised according as it may please the administration to crush and destroy, to save and protect. Our commerce and domestic industry are paralysed; our public lands alienated, at a nominal price, to a company of speculators, strangers to the country; or bestowed upon insolent favorites as a reward for their sycophancy; our money extorted from us without our consent, by taxes unconstitutionally imposed by a foreign Parliament, to be afterwards converted into an instrument of our degradation by being distributed among a howling herd of officials, against our will, without our participation, and in violation of all the principles of constitutional law.

In the midst of their honest and unwearied efforts to procure a redress of the foregoing grievances, our fellow citizens, have been insolently called upon, to give an account of their conduct for attending public meetings, for which they were responsible to no individual, least of all to the person whom chance or ministerial patronage may place for a season at the head of our Provincial government. Our citizens have been harrassed and annoyed by dismissals, because they vindicated the rights of this country, like American freemen. And as an index of further intended aggression, armed troops are being scattered in time of profound peace throughout the country, with the



presumptuous and wicked design of restricting by physical force the expression of public opinion, and of completing by violence and bloodshed our slavery and ruin, already determined beyond the seas.

Such an aggression as this might justify the recourse, on the part of an outraged people, to all and every means to preserve the last of their insulted privileges—the right to complain. But thanks to the blindness of the aggressors, the wickedness of the measure will be providentially neutralised by its folly. The regiments about to be quartered among us are composed of men sprung from and educated with the democracy of their country. They for the most part entered on their present profession, not from choice, but because they could not find any other employment in their native land. Instead of being stimulated to good conduct by the hope of promotion; too poorly paid, they are exposed to every sort of petty tyranny, and if a murmur escape their lips, they are subjected like the bonded slave, to the ignoble punishment of the lash. Contrasting this hard fate with the freedom, content, employment and high wages to be obtained in the United States, and certain that the inhabitants of these counties lying near and bordering upon the lines will not impede the efforts which these soldiers may make to emigrate to the neighboring republic, it will become morally impossible to keep in her majesty's Province, whilst scattered in detachments, the men who are now about to be the vile instruments of our slavery and their own dishonor.

The long and heavy chain of abuses and oppressions under which we suffer, and to which every year has only added a more galling link, prove that our history is more than a recapitulation of what other colonies have endured before us. Our grievances are a second, but a far more bulky edition of their suffering. Our petitions for relief are the same. Like theirs, they have been treated with scorn and contempt, and have brought down on the petitioners but additional outrage and persecution. Thus the experience of the past demonstrates the folly of expecting justice from European authorities.

Dark and unpromising as may be the present prospect of

his our beloved country, we are encouraged by the public virtues of our fellow citizens, to hope that the day of our regeneration is not far distant. The Imperial Parliament has denied us redress, and the Canadian authorities treat us as serfs; they laugh at our calamity—we will mock when their fear cometh. The example of '76 is before us; the shades of the political martyrs of that day invoke us to union and action. The means of our regeneration from foreign bondage are in our hands. There is no alternative but a tame, unmanly submission, or a bold and vigorous assertion of our rights as freemen. Brothers in affliction! whatever be your origin, language or religion, to whom equal laws and rights are dear, whose hearts have throbbed with indignation whilst witnessing the innumerable insults to which your country has been exposed, and who have been justly alarmed while pondering over the sombre futurity preparing by mismanagement and corruption for this Province and our posterity—in the name of that country and of the rising generation, now having no hope but in you, we call upon you to assume, by systematic organisation in your several townships and parishes, that position which can alone procure your deliverance “from the baneful domination of the mother country.” Let Committees of Vigilance be at once put in active operation throughout your respective neighborhoods. Withdrawing all confidence from the present administration, and from such as will be so base as to accept office under it, forthwith assemble in your parishes and elect pacificator magistrates, after the example of your brother reformers in the county of the two mountains, in order to protect the people at once from useless and improvident expense, and from the vengeance of their enemies. Our young men, the hope of our country, should every where organise themselves, after the plan of their brothers, “The Sons of Liberty” in Montreal, in order that they may be prepared to act with promptitude and effect, as circumstances may require; and the brave militiamen, who by their blood and valor twice preserved this country for ungrateful rulers, should at once associate together, under officers of their own choice, for the security of good order, and the protection of life and pro-

perty in their respective localities. Thus prepared, colonial liberty may haply yet be preserved.

In this hope, & depending for disenthralment from the misrule under which we now groan, on the providence of God whose blessing on our disinterested labors we humbly implore; relying on the love of liberty which the free air and impregnable fastnesses of America should inspire in the hearts of the people at large, and upon the sympathy of our democratic neighbors, who will never consent that the principles for which they successfully struggled in the eighteenth, shall, in our persons, be trampled in the dust in the nineteenth century.

We, the delegates of the confederated counties, here publicly register the solemn and determined resolution of the people whom we represent, to carry into effect, with the least delay possible, the preceding disiderata, and never to cease their patriotic exertions, until a cheap responsible system of government is procured. We, therefore, invite our fellow citizens of both Provinces, to unite their efforts with ours in the great and glorious cause of giving freedom to our common country.

[Signed.] WOLFRED NELSON, *Pres't.*

J. S. DROLET, }  
F. C. DUVERT, } *V. Presidents.*

A. Girod, }  
J. P. Boucher, Belleville, } *Secretaries.*

On the adoption of the above, sixty-seven magistrates resigned their commissions for the peace, and one hundred and twenty-six officers of the militia returned their commissions to the Civil Secretary of the Lower Province—the militia became disorganised in these confederated counties. Immediately succeeding these events, a great reform meeting was held in Oakland, U. C. on Thursday Nov. 2, wherein the following resolution was adopted:

“*Resolved*, That we sympathise with the sufferings of our Lower Canada brethren, and view with abhorrence and disgust the knavish resolutions of Lord John Russell, which would rob a whole people to pamper a horde of ruthless officials; we applaud and admire the exertions of Hon. L. J. Papineau and the reformers of the Lower Pro-

vince, to rescue themselves from the ranks of a ruthless, blood-thirsty party, who, under the assumed name of "British," would perpetrate oppression, and rejoice in the degradation of the human race ; that we approve of the Declaration of the reformers of Toronto, and do adopt the sentiments therein contained as our sentiments, and will contend for the sacred principles of liberty and justice, at whatever hazard or sacrifice."



## CHAPTER XVIII.

A Review of the causes which led to the Insurrection in Lower Canada,  
by the Hon. L. J. Papineau

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Sixteen years ago I complained to Lord Bathurst, then Colonial Secretary, in accents of keenly felt grief, how heavy was the yoke, how humiliating the condition of our Colonial servitude. He agreed with me in opinion, in somewhat the following terms. I give this conversation because it throws great light on the political views, on the secret apprehensions and hopes of England.

"I agree," said Lord Bathurst to me, "that for continental possessions the population of which doubles in a few years the system of government of which you complain can for those subject to it, be only a period of stormy transition, of sickly change to be followed by bright days, an early organization of political existence and national independence. I even believe that the period of suffering will be short for you. French Catholics ruled by English Protestants, yours, it must be acknowledged, is a forced, unnatural position. You are too far from England properly to appreciate her, and too near the United States of America not to be dazzled with their deceitful prosperity. I ask you then for five and twenty years of patient resignation. Before the end of that time, however, I as a statesman foresee and foretell a violent separation of the different parts of the American Confederation. England will then be prepared to grant to those Colonies which will have remained faithful to her, both independence and institutions superior to those at present based on the Federal compact. Democracy, disengaged from all counterpoise, would finally become impetuous and bring about a state of anarchy, whilst it would be the best government possible tempered with a hereditary magistracy, the perpetual existence of which would be guarantied in all its splendor and force by means of hereditary peerages and entails. It is well understood that the British government would invest such honors in

influential men such as you, sir, if they would agree to lend themselves to such a wise arrangement.

"In giving your support to this plan, and in persuading your countrymen to receive it cordially, you would hasten for your country the era of happiness and power. Wealthy English families favorable to hereditary institutions, and rich families of the United States at present disgusted in consequence of the feeble influence which the ascendancy of Democracy has left them, would be attracted thither.— You would, on the other hand find in influential families as well within as out of the Province, the material from which to constitute a strong government, which would contract with us an alliance offensive and defensive similar to that which binds Portugal to England. Thus you would have nothing more to fear from your ambitious neighbors. They are already too formidable, and capable, if possessed of the resources of Canada, though small, in addition to their own, of effecting British supremacy on the ocean. Now if ever England should descend to the rank of a third-rate power, it would be a misfortune to humanity; for with institutions so perfect as her's, and a supremacy generally recognized, England is, on the continent, the mainstay of every oppressed people, on whose representation absolute governments have often been arrested in their tyrannical projects.

"A great struggle is on the eve of commencing on all points of Continental Europe between two inimical principles. On the one hand, the love of liberty which may become intractable and turbulent among a people yet unprepared to receive it; on the other hand, a settled repugnance in crowned heads to concede reforms which they promised in a moment of terror caused by the prisoner of St. Helena. Now, England would be the powerful moderator, called on to prevent the repetition of these scenes of blood, despotism and impiety already enacted by that revolutionary France whom it would have been necessary to degrade below the rank of nations, had she not accepted the Restoration, the only bond of reconciliation, the only guarantee for repose, after the usurpation of the French throne by the ambitious soldier who lately occupied it.

"The example of the United States is an obstacle to the realization of these plans. I know well that those are enthusiasts, unacquainted with the management of business, who are excited in favor of that American demagogueism, which like a rope of sand, is destined to fall to pieces on an early day. But, notwithstanding, their writings make disciples—they foment bad passions, and enlist men of nothing for the destruction of the superior classes in rank and fortune. And I confess to you, that all those cries of 'cheap government,' of 'exclusive sovereignty of the people,' after the American model, would give us a great deal of uneasiness did we not clearly see that, war being one of the instincts unfortunately natural to man, there are causes which will soon excite it in the United States—bring into collision the different parties to the confederation, and oblige them for their own protection to have larger armies and stronger institutions."

I told Lord Bathurst that my Utopia differed from his, and that it appeared to me both more desirable and easier to be realized—that the American Confederation would be for the future one and indivisible—that it seemed to me proceeding rather towards strength and augmentation than towards mutilation and impuissance—that on the day of our Independence the right of citizenship and freedom of trade between Quebec and New Orleans, between Florida and Hudson's Bay would secure for the Canadas an indefinite but long period of peace, of triumphs over nature, of progress in moral and political science and in arts, with sovereignty for each state under the protection of Congress who could not be a tyrant, having neither subjects nor colonies, and possessing no authority except in questions of peace and war and trade with other nations. I added that such advantages were too vast, and too manifest to permit Canada to suffer herself to be inveigled into offensive and defensive alliances with England against America. As to the delay of twenty-five years fixed by his Lordship, that it would certainly be shortened by the partiality of the metropolis, the unskillfulness of its selections, and the provocations of its agents.

Lord Bathurst promised reforms. None have been effected though the time is passed by.

The intimate friend of a great many of my brother Representatives, honored by the esteem and confidence of all, inasmuch as they have for twenty years, often unanimously, always by large majorities elevated me to the Speakership of the House of Assembly, I am intimately acquainted with all that occurred in Canada up to the moment when the troubles broke out. I am acquainted with all the actions and opinions of twenty-five of my colleagues and of many prominent citizens, some of whom have suffered death, others of whom, have, like me, had, as it were, a price set on their heads, and been, like me, driven into exile, without trial, or closely confined, often unaccused, always without being confronted with their accusers, and afterwards liberated untried, although urgently demanded verbally or in writing, a trial either from the blood stained dictator Colborne, or from the more hollow hearted but not less vindictive dictator, Durham. For were they not all suffering from the same punishment? They were all guilty of the same crime. Their virtues were dear to their fellow citizens; odious to their foreign oppressors.

Now I defy the British government to contradict me when I affirm that none of us had prepared, desired or even foreseen armed resistance. But that government had determined to rob the province of its revenue and of its representative system. It had determined to devote us, some to death and others to exile. It was with that view that it proclaimed martial law and caused citizens to be tried by courts martial for acts which some weeks before, it had admitted could not furnish a plea for any accusation. The necessity of creating courts martial it founded on the impossibility of obtaining sentences of death from civil tribunals! Thus again has the executive power put into operation against innocent men, in support of ill understood metropolitan interests, inhuman tribunals which itself acknowledged it had not the right to authorise. 'Tis from it, then, that all provocation has proceeded.

Among the actors in this bloody tragedy there is not one who regrets having attempted resistance; and among their



fellow citizens there is not one in a thousand who reproaches them with having so done. There is in the hearts of all only a deep regret that that resistance has been unsuccessful, mingled at the same time, with an ardent hope that it may be attempted again and that it may succeed. It is not that the insurrection had been unlawful, but we had resolved not to have recourse to it yet. This is what our papers which it had seized, told a government which calumniates in order to prosecute.

When I make this declaration it is merely to establish historical truth and by no means to repudiate the moral responsibility of resistance to a power at war against the sacred rights of mankind—at war also against “the inalienable birthright of British subjects” as the Juris consults of Great Britain say—expressions which are mockery as far as regards the colonies, and invented to procure for British aristocrats Spartan pleasures—that, for example, of hunting the Helots of Ireland, of Canada, of Jamaica and of all their foreign possessions, every time the serfs inhaling them object to being tythed, ground and taxed without pity or mercy.

I clearly understand the sacred functions of the historian. Well understood they exclude all that is not truth. But so impious is British tyranny that even under the shade of its poisonous influence, and of its stifling embraces, the historian of the Canadas cannot tell every thing done during the military occupation of those pillaged, burnt and decimated provinces. For power has abandoned itself there to such orgies that it is drunk. Tell it of its crimes: far from abandoning them, it plunges deeper and deeper, and reposes only to pass quickly from torpor to the fury of drunkenness—to redouble its blows on the country where it hates all, and is universally hated. Tell it the names of men faithful to their country—you are an informer who people dungeons—a ferocious spectator who closes his hand in order that christians may be thrown to wild beasts.

Under these circumstances facts and public documents well known in America, unknown, or what is worse, mutilated in Europe, can only be cited. The British government has, in fact, taken care to put in prison with the

editors and printers, all the types and printing presses which were not for sale. All that it did not cram into dungeons it bought up—and doubtless to guide the Imperial Parliament as to the plans for the future government of Canada—to enlighten public opinion in England, and through it, to edify the world on the virtues of the governing and the ingratitude of the governed, it moulded these raw materials, purchased men and types, into pages of contemporaneous history. The means being known, the object is revealed. Through the English press, you have learned only official lies.

It is no longer my business to be the accuser of the British government, that has been my duty for thirty years of my public life. That government itself has confessed its own guilt in the hundred and twenty folio pages which Lord Durham has just published. Systematic corruption, shameless peculations, antipathies against the people, revolting examples of irresponsibility in the public agents, plunder of the public domain ; nothing is wanting in the picture of Canadian misery—a picture so hideous that its duplicate cannot be furnished except in the history of another British possession—IRELAND. Yet the author has uniformly softened down his accusations against the power of which he is the organ, whose leaden sceptre over the colonies he would still preserve by means so pitiable that they destroy his reputation as a statesman.

Lord Durham, anxious to prove that his favorite Saxon race is alone worthy of commanding, has falsely painted it in flattering colors, and shaded in the blackest ground the mock portrait which he drew of the French Canadians.—But despite of this vile partiality, I refer with confidence impartial readers to his singular report, well convinced that they will come to the conclusion that the Canadians have no justice to expect from England—that submission must be for them disgrace and death—Independence on the contrary a principle of resurrection and life. It would be more—it would be the restoration of the French reputation terribly compromised in America by the shameful treaty of Paris of 1763—by the proscription *en masse* of more than 20,000 Acadians hunted from their homesteads—finally by

the fate of 600,000 Canadians ruled during eighty years with unceasing injustice—to-day decimated; to-morrow condemned to political inferiority out of hatred to their French origin.

Correct when it accuses those in power, false when it accuses the people, Lord Durham's report will serve also to prove that Canadian Independence is an event in the interest alike of old as of new France, and of importance to the whole human race. With this view I shall here give on analyses of that work which it is moreover essential to be acquainted with in order to appreciate the morality of the facts which I intend to relate.

"During a long time," says the report. "the Canadians have been excluded from all participation of power; all the offices of trust and emolument have been vested exclusively in strangers of English origin.

"Till within a very few years this exclusion was accompanied by an insolence which was the more revolting to a sensitive people than the monopoly of power and profit.

"The races had become enemies ere a tardy justice was extorted (by the Canadians); and even then the government discovered a mode of distributing its patronage among the Canadians which was quite as offensive to that people as their previous exclusion.

"Never again will the present generation of French Canadians yield a loyal submission to a British government: never again will the English population tolerate the authority of a House of Assembly in which the French shall possess or even approximate to a majority.

"The militia, on which depends the main defence of the province against external enemies, is completely disorganised. The attempting to arm or employ it would be merely arming the enemies of the government.

"In 1833 the number of immigrants who landed at Quebec amounted to 52,000. In 1838 it did not amount to 5000. Insecurity begins to be felt by the loyal inhabitants in the seigniories so that many of them are obliged to quit their occupations and seek refuge in the cities.

"No consideration can any longer overpower among the Canadians a feeling which absorbs all others—that of hatred against the English. To assuage their vengeance and

enjoy a momentary triumph they are ready to submit to any yoke—to aid any enemy. The ancient antipathy against the Americans has terminated. An American invading army may rely on the co-operation of almost the entire French population of Lower Canada.

On the other hand, “every measure of clemency or even justice towards their opponents they [the British] regard with jealousy, for they feel that being a minority any return to the due course of constitutional government would again subject them to a French majority; and to this I am persuaded they would never peaceably submit.

But “the hostility of races [is] palpably sufficient to account for all the evils which have effected Lower Canada, inasmuch as nearly the same results have been exhibited among the homogenous population of the other Provinces. Lower Canada, or the two Canadas, have not alone exhibited repeated conflicts between the executive and popular branches of the Legislature. The representative body of Upper Canada was before the late election hostile to the policy of the government; the most serious discontents have only recently been calmed in Prince Edward’s Island and New-Brunswick; the government is still in a minority in Nova Scotia; and the dissensions of Newfoundland are hardly less violent than those of the Canadas. It may fairly be said that the natural state of government in all these Colonies is that of collision between the Executive and the Representative body.

A state of things so different from the working of any successful experiment of representative government appears to indicate a deviation from sound constitutional principles . . . . When we examine into the system of government in these Colonies it would seem as if the object of those by whom it was established had been the combining of apparently popular institutions with an utter absence of all efficient control of the people over their rulers. Representative assemblies were established on the basis of a very wide, and in some cases, almost universal suffrage; the annual meetings of the bodies was secured by positive enactment, and their attributes were locally nearly as extensive as those of the English House of Commons. At the same time the Crown almost entirely relied on its territorial resources . . . . for carrying on the government without securing the assent of the representative body either to its policy, or to the persons by whom that policy was to be administered.



“In Lower Canada from the moment the Assembly evinced any inclination to make use of its powers it found itself in collision with the Executive, and the practical working of the Assembly commenced by its principal leaders being thrown into prison. In the course of time, however, the government was induced, by its necessities, to accept the Assembly's offer to raise an additional revenue by fresh taxes and thus the latter acquired a certain control over the levying and appropriation of the public revenue in 1832.

The Assembly after it had obtained the recognition of its rights was not more respected than before. “It could reject bills, grant or refuse supplies, but it could exercise no influence in the nomination of a single servant of the Crown. Indeed, instances are not wanting in which a mere hostility to the majority of the Assembly elevated the most incompetent persons to posts of honor and trust. Laws passed after repeated conflicts, had to be carried into effect by those who had most strenuously opposed them.

“A Governor arriving in a country in which he almost invariably has no previous acquaintance, is compelled to throw himself almost entirely upon those whom he finds in place. — He is generally brought thereby into immediate collision with the other parties in the country, and thereby thrown into more complete dependence upon the official party and its friends. . . Fortified by family connections and the common interest felt by all who held, and all who desired subordinate offices, that [official] party was thus erected into a solid and permanent power, controlled by no responsibility, subject to no serious change, exercising over the whole government of the Province an authority utterly independent of the people and its representatives, and possessing the only means of influencing either the government at home, or the colonial representatives of the Crown.

“The opposition of the Assembly to the government was the unavoidable result of this system. . . . When nothing else could attain its end of altering the policy or the composition of the Colonial government it had recourse to that ultima ratio of representative power to which the more prudent forbearance of the Crown has never driven the House of Commons in England, and endeavored to disable the whole machine of government by a general refusal of supplies.

“The Legislative Council [the second branch of the legislature is thus named] must certainly be admitted to have been so composed as to give it no weight with the people or with the

representative body, on which it was meant to be a check. The majority was always composed of members of the party which conducted the executive government, and was practically hardly any thing but a veto in the hands of the public functionaries.

“There is in it [the Province] literally no power which originates and conducts the executive government. The Governor, it is said, represent the sovereign, but he is in fact a mere subordinate officer receiving his orders from the Secretary of State, and responsible to him for his conduct!

“It has been the tendency of the local government to settle every thing by reference to the Colonial Department in Downing street, where it is next to impossible to have any sufficient information; and the colony has, in every crisis of danger, and almost every detail of local government felt the mischief of having its executive authority exercised on the other side of the Atlantic. . . . The repeated changes [of ministry] caused by political events at home, having no connection with colonial affairs, have left to most of the various representatives of the Colonial Department in Parliament too little time to acquire even an elementary knowledge of the condition of those numerous and heterogeneous communities for which they have both to administer and to legislate. . . . Since 1827 there have been not less than eight Colonial ministers, and the policy of each successive statesman has been more or less marked by a difference from that of his predecessor. . . . The more important business of the government was carried on, not in open discussions or public acts, but in a secret correspondence between the Governor and the Secretary of State. Whenever this mystery was dispelled it was long after the worst effects had been produced by doubts and misapprehension.

“The first want of a people is an efficient administration of justice. \* \* \* Now it is a lamentable fact which must not be concealed that there does not exist, in the minds of the people of this Province, the slightest confidence in the administration of criminal justice.

As for Justices of the Peace, “the institution has become unpopular among the Canadians, owing to their general belief that the appointments had been made with a party or national bias.”

“I am grieved to be obliged to remark that the British government has, since its possession of this Province, done, or even attempted nothing for the promotion of general education.

\* \* \* It has applied the Jesuits' estates, part of the property destined for purposes of education, to supply a species of fund for secret service, and for a number of years it has maintained an obstinate struggle with the Assembly, in order to continue this misappropriation."

Speaking of the Colonies in which the population is unmixed and altogether English, Nova Scotia and New Brunswick, which formerly constituted French Acadia, and Prince Edward's Island, originally the Island of Saint John, the Report continues:—

"Their varied and ample resources are turned to little account. Their scanty population exhibits, in most portions of them, an aspect of poverty, backwardness and stagnation; and wherever a better state of things is visible, the improvement is generally to be ascribed to the influx of American settlers or capitalists. Nova Scotia exhibits the melancholy spectacle of half the tenements abandoned and land every where falling into decay. Lands that were purchased thirty or forty years ago at five shillings an acre, are now offered for sale at three shillings. The people of Prince Edward's are permitting Americans to take out of their hands all their valuable fisheries from sheer want of capital. \* \* \* These Provinces, among the longest settled on the North American continent, contain nearly 30,000,000 of acres, and a population, estimated at the highest, at no more than 365,000 souls." [This population amounts only to 27,000.]

What a contrast is afforded along the whole line of contentious frontier!

On the American side all is activity and bustle, increasing wealth and progressive civilization. Numerous harbors containing numerous fleets, good houses, warehouses, mills, inns, villages, towns, and even great cities, are almost seen to spring out of the desert.

On the British side of the line . . . all seems waste and desolate!

That painful but undeniable truth is most manifest in the country districts through which the whole line of national separation passes for 4,000 miles. The difference in the price of land, amounts, in not a few parts of this frontier, to as much as a thousand per cent, and in some cases even more. The average difference between Upper Canada and the States of New York and Michigan is notoriously several hundred per cent. The price of wild land in Vermont and New Hamp-

hire, close to the line, is five dollars per acre, and in the adjoining British Townships [of Lower Canada] only one dollar.

Emigrants from Great Britain, instead of remaining in the colonies, fly in numbers to the States, and "the entire population of Upper Canada, which should now have been 500,000," is in consequence "not over 400,000 souls." The emigrants to Nova Scotia and New Brunswick act in the same way.— They generally proceed to the United States, as there is not sufficient encouragement for them in these Provinces. Many of the old Colonists follow their example.

Such are the lamentable results of the political and social evils which have so long harrassed the Canadas; and at this moment we are obliged to adopt immediate measures against dangers so alarming as are rebellion, foreign invasion and depopulation, in consequence of the desertion en masse of a people reduced to despair."

Here we have British government portrayed by itself. Such is the flattering sketch of the condition to which those Colonies have been reduced, by an arrogant aristocracy, which sets itself up as a model of wisdom and knowledge for nations to study and imitate in order to learn how to govern themselves.

This Lord Durham who has signed the report containing the cutting, though modified, accusations which we have just read, is one of the most eminent heads of that aristocracy; and nothing is better adapted to show how artificial and hallow is the social system of England, than the reputation for capacity, intelligence, and liberality which this ignorant despot has usurped. His pretended rare talents, his pretended high virtues have been the plea for all parties in Parliament to unite in his favor, and to invest him with a Dictatorship, as if there was not the remotest chance of his abusing it. Yet in less than one month after he had eagerly seized this omnipotence which had disturbed much stronger minds, and corrupted much purer virtues than his, he dishonored himself by pronouncing infamous propositions without inquiry against innocent men. In two months he was disowned and censured by Parliament. In three months, his wise envoy for allaying revolt, rebelled himself, and with as much discretion as petulance, threw up his commission, deserted his post without leave from the authority which had appointed him, leaving that Dictatorship which was created for him alone, to the first soldier of fortune who by his rank should chance to be in command in Canada.

Two instances will suffice to prove how weak was the head,



and wicked the heart of a man so unjustifiably flattered. He who signed the above quoted Report had the hardihood publicly to tell delegations from Canada, "It will not be a hundred years, nor three hundred years—nay, nor a thousand years that shall witness the separation of these Provinces from the Metropolis. They are one of the richest jewels in the Crown, to which they must be an eternal dependence, and it is only to accomplish that object that I have consented to come hither clothed with ample powers to secure it." If Lord Durham believed not what he said, was there ever more shameless charlatanism? If he were sincere, I ask him was there ever more senseless verbiage, or more complete ignorance of the clearest principles of political economy, and of the consequences which must flow from the separation of the old British North-American Colonies?

It is said that this idol of the high and low in England is a Statesman of no mean calibre. His hired organs affirm that he alone is capable of preserving England from the bloody catastrophe with which she is threatened. To believe them, he wants but the power to accomplish that marvellous piece of hocus pocus of firmly establishing in England—even with the consent of the most haughty and most powerful aristocracy that ever oppressed the world—a pure Democracy by means of triennial Parliaments, quasi, universal suffrage and vote by ballot—and to erect, at the same time, in all the British North-American Colonies a pure despotism, and that with the consent of Colonies where it would be vain to seek for other social elements than principles of equality, or other active influences than those afforded by the example and neighborhood of the United States of America. Where then does this man deserve to occupy the highest place—in the Councils of State or in Bedlam?

The detailed history of Lord Durham's mission would expose a degree of egotistical vanity almost incredible. His suite was composed exclusively of individuals full of vice and depravity, but who were not sparing of flattery; whilst he indecently repulsed those honest men, who, on the faith of parliamentary eulogiums, approached to speak to him on any other subject than himself, or to bring him down from those giddy heights, where he was engaged in complacent reflections on his own merits, to a land of tears and sorrows.

If those selections shocked even the indulgent morality of the House of Lords, what effect they must have produced on American society, so moral and austere?

The same vanity which collected around Lord Durham those who administered to him the grossest incense, laid him at the feet of a certain set of men who had insulted him most grossly, and whose praise he would obtain at all price. Of all those who were hateful to the Canadians, none was so justly odious as a fellow by the name of Thom, the rabid editor of a violent tory paper, called the Montreal Herald, who for a series of years dragged through the puddle the names of all the whig ministers and that of Lord Durham in particular. The calumnious anecdotes contained in the John Bull newspaper were not sufficient to feed this fellow's malignity. His private correspondence, real or manufactured, paraded before the public eye the well established or pretended shame of most of the leading men of the liberal party, and an incredible volley of insults saluted the news of Lord Durham's nomination which was applauded by both whigs and mystified radicals in a manner that appears now rather strange. But the howlings of this Cerberus pained so acutely Lord Durham's ears that he hastened to throw him a soporific sop. A few weeks after the pompous landing of the Viceroy, in return for his insults, Adam Thom became his Lordship's adviser and messmate. He who whilst writing under the daily and excessive stimulus of ardent spirits, on English politics, was nothing more than a violent partizan, became a furious madman when he spoke of French Canadians. Goaded by a thirst for blood, his hate knew no bounds. For many years were the columns of his paper defiled by insults against the whole body of that people, and by reiterated provocations of assassination against the most popular representatives. In several riots which during four years had disturbed Montreal, directed by British magistrates, against citizens who either at elections or in the Assembly had opposed the Executive, this fellow had figured as a prominent leader. Were those violences ever repressed, or their authors once sought for? No. The soldiery at the disposal of the magistrates bathed our towns in blood. Courts of justice were compelled by force to forbid the relatives of the victims the exercise of the sacred right of prosecuting the guilty to conviction, and the prosecution was taken out of their hands in order to protect the murderers by mock trial from punishment.

Adam Thom had organised the "Doric Club," an armed society, whose avowed object was to exterminate the French Canadians, if the government should concede to their demands, an elective Legislative Council. Five months before his pre-

motion to office by Lord Durham, and whilst the prisons were still filled with Canadians, he wrote as follows:

"The punishment of the leaders, however agreeable it might be to the British inhabitants, would not make so deep and useful an impression on the people as the sight of strange farmers settled on the farm of each agitator in each parish. The sight of the widow and orphan hawking their wretchedness around those wealthy houses of which they should be dispossessed would have a good effect. We must not hesitate in the execution of this project. Special Commissioners should be instantly named with instructions to terminate the trials of this batch of traitors at present in prison. It is ridiculous to fatten fellows all the winter for the gallows."

Such is the language in Canada of the press which is subsidized, not by a stipulated sum, but by honors and offices which the government distributes and which such attacks infallibly secure—by subscriptions of the British officials, and by the monopoly of advertisements and government notices of every description.

This Thom, three months before Lord Durham's arrival, raised the death-cry against four hundred persons, crammed into holes scarcely fitted to contain half the number. He said that a government which would adjourn their trials would exhibit a culpable hesitation—that if it was intended to ravish its prey from the Doric Club, the latter was able to do itself justice in spite of prison walls or the soldiers' bayonets—that the Club could punish as well as protect—that it would grant only a short delay, after which it would be seen that its warnings were not idle menaces. In fine, the frightful plot, hatched by this demon and his associates acquired such an appearance that the authorities thought proper to fortify the prisons by additional works and double the doors. Such was the wretch, whose previous career was familiar to every body in Canada, whom Lord Durham invited to his table, and seated at his Council Board!

In making a selection as imprudent as it was depraved, did Lord Durham, sent ostensibly on a mission of peace and conciliation, prove traitor to his engagements, or was he only a cheat intrusted with the continuance of a plan begun the preceding year, probably by the Imperial government, assuredly by that of the Province, to drive the people to desperation in order to justify past excesses, or to afford a pretext for future ones? Be this as it may, the Dictator so closely allied himself,

even before his departure from England, through the intervention of his nephew, Mr. Edward Ellice, who acted on the occasion as go-between, with the old anti-Canadian faction in London, that immediately on his landing he put himself in communication with their agents, those English merchants at Quebec and Montreal, who had always proclaimed undying hatred to the people of Canada and their representatives. It was they who, since 1808, had concocted the tyrannical plan of government [a union of the Provinces] of which Lord Durham alone assumes the disgraceful paternity. In 1822 they were on the point of surprising Parliament out of a vote of approbation in favor of it, which was prevented only by the unforeseen opposition of the virtuous Sir James Mackintosh.

On this last mentioned occasion the systematic demoralization of the British government developed itself more stupidly and more unblushingly than ever.

One of its agents, the Under Secretary of the Colonies, exclaimed in the House of Commons, "Make haste, I beg of you, and adopt this bill before those interested become acquainted with it; for if you do not, I predict that you will be importuned by their complaints and opposition. We are informed that the great majority of the people repudiate it."

This was what occurred the following year. The Union Bill was disapproved of, and successfully opposed by a majority of the people of the Canadas. Selected as bearer of the protests of my fellow citizens, I found, I must confess, on the part of a tory ministry, conservative and absolutist as it professed to be, a kind reception and honorable deference. The Union of the Canadas of which I speak is now more odious, more universally reprobated than it was then. Yet Lord Durham—"the People's Peer"—imposed upon by the intriguers who deceived Lord Bathurst, supports it cordially, and will, according to all appearances, palm it on the whig ministry. This he will not find difficult, for this ministry whilst professing liberality and reform, has in all its conduct towards the British Colonies, audaciously violated the most sacred laws of humanity.

A young woman of twenty years of age reigns in England; and it is under such auspices that hundreds of persons have been condemned to death in the two Canadas by exceptionable tribunals—by Courts Martial! To obtain the approbation of their Sovereign, I must believe that ministers have done violence to those feelings of pity natural to her sex and her age—



all must remember that monarchy in England is only an instrument in the hands of the nobles; a brilliant bauble with which jugglers dazzle, on stated days, the eyes of the crowd.

The illegality of Courts Martial in Lower Canada was made manifest and proclaimed by the Judges of the Civil Tribunals. But what care oppressors for right, law, or justice? Magistrates guilty of having performed their duty with courage and honesty have been suspended from office; and although that quasi dismissal has been censured by ministers in England, it is maintained by them in Canada, where the authorities have gone so far as to execute those who have been condemned. In Lower Canada sixteen unfortunate men have suffered the last sentence of the laws. So many judicial murders. In Upper Canada the number of victims amounts to more than thirty. These barbarities, far from consolidating the domination of the savage power which authorized them, have, on the contrary, rendered its continuance forever impossible. It has excited the horror of the civilized world.

In the United States especially has the indignation been profound, as may easily be seen by the following extract from the Democratic Review, a monthly periodical published at Washington, under the direction and with the concurrence of the most influential public men of the Union. The sentence of proscription fulminated last March within sight and ken of Congress in the first days of its session, against British domination in America; has, in the opinion of those who are acquainted with its source, the greatest weight.

"It is in vain that the British government seeks to justify the recent executions which have deluged Canada in blood by the plea that the law authorized them. The Kings of England have polluted those laws by the atrocious penalty thereby decreed against every sort of offence. Like the code of Draco they are written in blood. They apply the penalty of death to such a large number of offences, and so unjustly, that the judge in order to act correctly, is obliged to torture the sense of the law, to silence it, or even to violate it.

"The law of Treason, the pretext for so many judicial murders, and which dates from the reign of Edward the 3d, applies the penalty of death to attempts against the King's life; and it is by virtue of that law, several centuries old, that a crime, purely imaginary, inasmuch as it cannot be committed in America, has been punished. Yes, the spirit of assassination is engrafted in the spirit of British Monarchy.

"But it is not the English people that we reproach with these monstrous crimes. Their influence, when it could be made to bear on British legislation, has been like that of the people of all countries, humane, enlightened and kind. The influence of monarchy, on the contrary, has been invariably baneful.—Who can count the innumerable holocausts of the most illustrious and best of Great Britain's sons, destroyed to honor and and appease that Moloch—Monarchy.

"What a noble army of martyrs will not that long list of heroes compose who have thus died for the faith of which they were so worthy! From the Cobhams and Balls of ancient times, to the Russels and Sydneys of modern annals, or the Emmetts and Lounts of the deplorable days of contemporaneous history. Noble men! whose illustrious reputations will soon blaze with purest splendor, since anger and disgust are finally forming that free and powerful public opinion which is about to sweep from the earth the system that immolated them. Those cruelties have excited an ineffable feeling of horror and indignation throughout the whole length and breadth of this land of liberty, where public opinion is free and healthy, to such a degree that it seems to speak the language of posterity, and already to reveal the pious eulogies which shall render eternal the glory of those mighty victims and the infamy of their butchers. Let them gorge, then, for a few days longer. Never, no, never shall they be able to efface from the breasts of enlightened men the hate and disgust which their judicial murders of unfortunate Canadians have created against the British government—never shall cease the aversion which it inspires to that hateful power, stranger alike to the manners, the interests, the sympathies, as it is to the land of freemen, until it is driven from the whole extent, immense as it is, of North America, which its detestable and ferocious policy has polluted."

To the disorders of which Lord Durham has unfolded the endless picture—to the disorders, more numerous and serious which he has not even mentioned, what claim does he pretend to oppose? He has pointed out the benefits which liberty has produced among Independent Americans—the evils which despotism has produced among English Americans. He has demonstrated the impossibility of the continuance of British sway in Canada, and he concludes—to maintain the same state of things. What inconsistency!

In another article I shall show how unjust are Lord Dur-

ham's complaints against Canada. It is on these pretended complaints, notwithstanding, that is founded the great, the sole means of Legislative reform, which Lord Durham recommends—the absorption of the French by the English population, by means of a Union of the two Canadas. This was the measure which was devised in 1808, by the monopolists of the fur trade at the moment when they lost the majority of which they had disposed until then. From that time, and for thirty years since, a government professing to be constitutional, leaning on minorities, has ranged itself in perpetual hostility to the majority of the Representatives, which, after the two last general elections, was in one of the sessions of the Assembly 78 against 8, and in another 80 against 10 supporters of the government. Of the members composing these minorities only one was born in the Province!

Those majorities, at the time of their election, had been instructed by their constituents to insist on an organic change in their Institutions, and to demand that the second branch of the Legislature be elective. This demand has been rejected by Lord Durham, with as much disdain as by his tory predecessors. The British Parliament repels it equally. “What you ask,” it says, “we refuse. But we graciously wish you to be satisfied with what we consider suitable for you. The Saxon race knows better how to govern you than you do yourselves. That race in Upper Canada is devoured by debt—you have none. Well, we'll embellish an extensive and beautiful Province, which after mixing the full and the empty together, will owe nothing. You shall have a Viceroy, and our Gracious Sovereign, to her title of Queen of Great Britain and Ireland, will add—and of British North America. Abjure your narrow nationality. Assume one more vast, more noble. Quit your name of Canadians, and take that of Britons of North America.” Alas! if our first name, effaced by act of Parliament, has been too short, is not that with which it is replaced too long? Is not the title of “Independent Americans” of more just proportions?

An historical account, brief and impartial, of the events which have passed in my country during the last two years, will carry to all minds the conviction that it is not British Statutes which will regulate the future fate of Canada—but that that fate is written in the Declaration of the Rights of Man, and in the political Constitution which our good, wise and happy neighbors, the Independent People of the United States,

have framed for themselves. These know well that their Revolution is not yet completely terminated. In the opinion of her Statesmen, that revolution shall not have been completed until the day when the Union will have no longer on her borders a power, which, since the treaty of 1783, has not ceased, even in times of absolute peace, to intrigue, in order to bring about a dismemberment of the Confederation—a restless power which has excited Indian wars, which it perfidiously fomented by the distribution of arms and supplies to the warlike tribes, and maintained itself in the violent occupation of certain portions of territory, notwithstanding, by the terms of Treaties, these should have been, long before this day, restored to the Americans!—in fine, an ambitious power, which no longer holds possession of the Canadas in the legitimate view of commerce and colonization, but as a military post whence it is preparing to pounce on the American Confederation, in order to scatter through it trouble, division and ruin.

LOUIS PAPINEAU.



## CHAPTER XIX.

### Commencement of the Outbreak.

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The Canadian government now became seriously alarmed, and the course that it adopted was in perfect conformity with the course which the Home Government has invariably practiced in dealing with incipient insurrections in Ireland, and elsewhere. Measures were forthwith taken by Sir John Colborne, *to force the Canadians into a premature revolt*. He well knew, that if the affair was let alone, the result would be *a grand combined movement*, which he would be unable to resist; but that if he had to deal with the insurgents in detail, all would be well—and the Government, having thus determined to precipitate matters, Montreal was selected as the place of their first operation: and to this master stroke of policy may be traced all the disasters which followed.

The young men's association called "the sons of Liberty" held their usual monthly meeting there on Monday Nov. 6. While peaceably assembled, a gang of sworn desperadoes designated by name the 'Doric Club' instigated by the Government assembled in the neighborhood; and lay in wait for the sons of liberty. As the latter were retiring peaceably to their respective quarters, they were unexpectedly attacked, by these madmen, with clubs, stones, and all sorts of weapons. Finding themselves thus suddenly assailed, they defended themselves like men, and soon routed their enemies, inflicting severe punishment on some of them, after which they retired to their respective homes; the Doric heroes then seeing no one to oppose them, became instantly as brave as lions. The magistrates called out the troops, who with them paraded the streets, accompanied by several pieces of cannon. The assailants of the sons of liberty, now safe under the protection of English bayonets, were not slow in committing excesses. The most prominent of these was the attack on Mr. Papineau's property, af-

ter which they proceeded to the office of the Vindicator, a liberal paper against which their rage was concentrated,—they gutted the building, and threw the types, presses, books and papers into the street. Warrants were issued against members of the legislature by dozens; hundreds of innocent men were arrested on mock charges of high treason, and committed to the dungeons. In twenty-four hours the liberty of speech and of the press were utterly annihilated, and the Royal Constitution subverted.

On Friday, the 9th a party of the Royal Montreal Cavalry was despatched to St. Johns to arrest Drs. Avignon and Demaray, and having effected their purpose, instead of conveying these persons quietly to Montreal, direct by the rail road, the cavalry resolved to strike terror through the country by marching them round by Chambly and Longueuil, a distance of 36 miles, with iron fetters on their hands and feet, and ropes round their necks. The people of Longueuil assembled and rescued the prisoners. Immediately a force of four hundred regulars with two pieces of ordnance and a howitzer under the command of Col. Gore, was despatched to attack St. Dennis. So little expectation was there that such an armed force would be sent to arrest half a dozen civilians, that no preparation had been made to oppose them. The first notice Dr. Woolfred Nelson received of their approach, was a cannon ball sent through the house, where he and his friends and neighbors were assembled, which killed three men; then followed a second which killed two others, dashing out the brains of one and scattering them on the Doctor, who then told his friends that it was not their persons but their lives that was sought, and if they would not be butchered where they stood they must fight. It was not till all this had happened that they resorted to arms. There were not more than thirty men at St. Dennis previous to the arrival of the troops, and these were collected to prevent the sudden seizure of Dr. Nelson. The roar of the cannon brought together about 300 men, some armed with fowling pieces and others with pitchforks, Dr. Nelson placed himself immediately at their head, and after an engagement of six hours and a half, repulsed the royal soldiers, with a loss of fifty men and one field piece. The Patriot loss was trifling.

This was the first regular engagement for Canadian Independence, so honorable to Dr. Nelson and his brave band of undisciplined patriots.

Immediately after this affair, Sir John Colborne wrote to Sir F. B. Head, to send him all the troops he could spare,—Sir Francis sent all.

Saturday, November 25, Col. Wetherell with 700 regulars, infantry and cavalry, and four field pieces, was despatched to St. Charles, where several of the leading reformers from Montreal, and other places, had retired as a place of safety. Here, as at St. Dennis, no preparations were made, either defensive or offensive, because no enemy was expected or danger anticipated. But when it was ascertained that the royal troops were approaching them in hostile array, the tocsin was sounded and about 1500 farmers, badly armed, and ignorant of the art of war, assembled, and made the best defences they could for so short a notice. Col. Wetherell stated in his despatches to Sir John Colborne, that he accomplished his march without opposition or hindrance, except from the breaking of bridges, until within a mile of the place where the patriots were posted. A scouting party fired at him from the left bank of the Richelieu, which he dispersed, and on advancing was fired at from a barn, which he burned; having arrived within about two hundred yards of their works, he took a position on their front. The patriots at this time, was strongly and skilfully posted within and without their works, and ready to receive their enemy. But unfortunately not more than one third of them were supplied with muskets. However upon the approach of the royal troops, they opened a heavy and well directed fire, and defended themselves with an obstinacy and determination which would have done honor to veterans. Witherell finding that no impression, to any effect, could be made on them from the position he had taken, advanced to another of about one hundred yards from the flank of their works; but finding the defenders still obstinate, and determined to maintain their ground to the last, the charge was ordered, which the patriots withstood with a firmness that astonished their better disciplined enemy—they fought bravely, maintained their ground until the

works were carried, and all the buildings within their temporary fortifications burnt,—not till then did these brave undisciplined men give ground. Had they been all armed and supplied with artillery, Col. Witherell would have had a different report to make to his Commander in chief. 100 of these brave men took shelter in a barn filled with hay and straw; the royal butchers set fire to it, and burned them alive, 100 were drowned in crossing the Richelieu.—The village of St. Charles was entirely burned by the soldiers during the attack; those of the inhabitants who escaped the flames perished in the woods from the effect of fright and cold.

The Patriots lost in killed by shot, fire, and water about 500. The British troops 13 killed and 37 wounded. The prisoners that fell into their hands were inhumanly treated and many of the wounded murdered in cold blood.

After this memorable affair, the patriot leaders were compelled to seek safety in the United States.

A short time previous to the battle of St. Dennis, a messenger was sent from Montreal to Toronto craving aid of the reformers in the Upper Province. The leading reformers at Toronto, sent another messenger to Montreal to enquire into the state of affairs there. His prompt return and encouraging report, decided them to help their suffering brethren in the Lower Province. An Executive was secretly named, plans framed and adopted, and the outbreak fixed for the 7th December, 1837. Gen. Van Egmond one of Napoleon's favorite officers, was commissioned, and other men of military skill. Mr. McKenzie was also appointed to arrange details and visit every trusty leader within 40 miles of Toronto. During this time the battle of St Charles was fought. Mr. McKenzie fulfilled the duty assigned to him with the utmost secrecy and promptitude. The executive had obtained a few kegs of powder in a way not likely to have created suspicion, and for the success of their design they mainly depended on 4000 muskets and bayonets, swords, &c., in the city hall of Toronto. Their plan was to enter the city,—seize the arms, the governor and his tribe of officials,—take possession of the vacant garrison,—proclaim a republic, with Dr. Rolph President pro-



tem,—run the steamers with 1000 men to Kingston, and suddenly take possession of Fort Henry. Their next design was to move on Lower Canada; and had not their plans been interrupted, English power would have been swept from Canada, or confined to Quebec.

It was acknowledged by Gov. Head, in his book, lately published in London, that had it not been for the corrupt means, the base and unworthy tricks, to which he resorted, to carry the elections, and deceive the home government as to the state of the public mind in Canada, England was prepared to yield to the Canadas their independence rather than contend against the united determination of both Provinces.

## CHAPTER XX.

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### Cause of the failure at Toronto.

On Saturday, the 3d. of December, a certain official character went to Dr. Rolph the patriot leader, and told him that arms had been given out by Gov. Head that night, to arm four companies, to be instantly sent to arrest the leading men through the country, as had been previously attempted with partial success in Lower Canada, a month before ; that Sir Francis had ascertained their plans. These stories, although utterly false, were believed by the Doctor. and without investigating the report, he despatched a messenger to a friend nine miles north with a like intimation, notifying Col. Lount and friends, to come in on Monday, instead of Thursday. When the messenger arrived he found the Col. was not at home, and without waiting for him, told the unpleasant news to all the country, as also, of the failures in Lower Canada. At length Col. Lount returned, and was informed of the circumstances, and instantly enquired if Mr. McKenzie knew it. No one had informed him. Saturday evening, on approaching the city, Mr. McKenzie was first informed of what had been done.— He immediately sent Col. Gibson's man to Mr. Lount to recall the order, and to await till Thursday, the day appointed, but it was too late. The former messenger had told every body to the north, and Mr. Lount's reply, which Mr. McKenzie received on Monday evening, was that he and his men were on their way. Uncertain as to Lount's movements, Mr. McKenzie sent messengers to various places, but these were delayed, and instead of 4000 bold farmers, on Thursday, with military leaders, there were 80 or 90 men on Monday, wearied with traveling 40 miles on bad roads and dispirited by the news of the reverses in Lower Canada. Of the condition of the city after ten on the morning of

Thursday, nothing was known. None of the gentlemen in Toronto, who had called out this party, either joined it, or sent any word. Mr. McKenzie took every necessary precaution to prevent intelligence reaching the Gov. posted guards on the roads leading to the city, and with three of his comrades secured a number of prisoners. He urged them with great earnestness to advance and take immediate possession of the city, and offered to head them. But Col. Lount, Mr. Loyd and Mr. Gibson, strongly objected, until intelligence could be obtained of the state of the town, or until their numbers were augmented. When Mr. McKenzie's entreaties failed, he proposed to risk his life by riding into the city with only three friends, although a warrant for high treason stared him in the face,—there to rouse their comrades, gain tidings, and bring Drs. Rolph and Morrison back with him. The night was quite dark, and they had not ridden far when they met Powell, then Mayor of Toronto, and Major McDonell, both of whom he arrested and sent back in charge of Capt. Anderson and another man, strictly enjoining them to keep the prisoners in front. McKenzie then continued his course for the city with one companion, a daring but necessary act, in the state of feeling of the men. Before they got to the city, Powell who had shot Anderson with a concealed pistol, rode furiously past to alarm the governor, McKenzie gave chase and came up with him, upon which Powell advanced and presented a loaded pistol to his breast which flashed. McKenzie fired but missed. Powell escaped, and after concealing himself sometime behind a log, reached Sir Francis and awakened him from his sleep. McKenzie recaptured Major McDonell and a person whom the justices had sent to warn the government of its danger, and returned to Montgomery where he found Col. Moodie of the regulars dying, and Capt. Stewart of the Navy, in custody. These had shot at the guards, but had failed to pass them.

Other messengers whom the patriots sent to town, were arrested. No one came from thence. On Tuesday, at noon, they were on their march to the city, greatly increased in strength, when they met Dr. Rolph and the Hon. Robert Baldwin, with a flag of truce from Sir Francis, asking

what they wanted. The reply was—"A free Convention of the People." The messengers returned ! but Dr. Rolph advised them to follow him in half an hour ; which they did in two divisions. When a mile from town, the same messengers met them again, and communicated Sir Francis' refusal—and then Dr. Rolph privately advised that they should not enter the city until dark, while he, meantime, would prepare the town's people. The flag returned. At dark, the patriots again marched for town, about seven hundred and fifty strong. On their way they took Capt. Duggan and others of Sir Francis' officers prisoners. About half a mile from the market square, a party of the royalists fired some random shots and ran. Col. Lount's riflemen, in front returned the fire ; and Mr. M'Kenzie, who was between them and the enemy, narrowly escaped being shot. He hastened back and bade them cease firing ; but a panic had seized the rear, and in a short time nearly the whole force was on the retreat. M'Kenzie ordered them to halt, accused them of cowardice, and declared that there was nothing to be afraid of, and even threatened to shoot at them if they did not return and advance. When they came to a stand, he told them that the steamers were sent off for the Orangemen of the other districts ; that he had no doubt the tories were as frightened, and more so, than they were ; that what was mere child's play that night might be impracticable to-morrow ; asked them how they could think of looking wife or sweet-heart in the face, if, after all their pretended bravery, they acted the part of poltroons, and let slip the noblest opportunity of delivering Canada ever offered to man ? All he said was of no avail. He called out for twenty volunteers to accompany him into the city—join their friends there, and drive the tories before them, or nobly perish in the attempt. There were three Scotchmen turned out, but no more. Next morning, out of 750, but 300 could be mustered. M'Kenzie called them together ; apologised for his strong censures the previous evening ; reminded them that he had set an example, which if they had followed, Toronto might have been theirs ; told them that the enemy had been reinforced, but that they would yet succeed if they had confidence in themselves.



M'Kenzie, Lount, and Capt. Alves, went forthwith to collect arms, the want of which was very perplexing, and of which they stood greatly in need—as well to take prisoners, and bring in the mails from and to the United States and England—all of which they did.

On Thursday, the tories, two thousand strong, with a couple of field pieces, managed by artillerymen from the regular army, marched out to meet the patriots—who had a number of brave and daring men, although not exceeding four hundred in all. M'Kenzie, as soon as he saw the enemy, galloped towards them, to reconnoitre and ascertain their strength; returned, and entreated his men to stand and fight them, which they resolved to do; but some of their captains and about one hundred and fifty men, with arms in their hands, stood opposite Montgomery's hotel as idle spectators. Those who stood their ground did not exceed two hundred, of whom, not more than one half had serviceable guns; but these bravely withstood two thousand for upwards of fifty minutes; threw the lines of their enemies several times into confusion; a scouting party advanced, and posting themselves behind the stumps, sent unerring death for some time into the tory ranks. On the part of the patriots, the firing was kept up in fine style, and so well directed that Gov. Head, with his two thousand tories, were about giving ground, when Col. Fitzgibbon, with a strong party, advanced and flanked them, unperceived, and thus saved Sir Francis from the disgrace of an ignoble defeat, by a handful of farmers. Had those who stood aloof during the action had the same confidence in themselves that M'Kenzie and his brave compatriots had, they would have driven Gov. Head and his slavish horde of tories into Lake Ontario.

Previous to the engagement, M'Kenzie ordered a detachment of sixty men, under the command of the gallant, but ill-fated Capt. Matthews, to take a circuitous route, enter the city, and set fire to the Don bridge, and advance to the Market square, which he effected—but too late to gain the object intended, which was to divert the enemy from the patriot camp till evening had strengthened their numbers.

Col. Van Egmond, their commander-in-chief, arrived just before their defeat; but too late to be of any service. Had M'Kenzie had men enough to have secured his flanks, and but one field-piece, the fate of Upper Canada would have been different. He used every means and stratagem which an able officer and determined leader could devise; he shunned no danger; hesitated at no difficulty, and never left the field until he was nearly alone. He and Col. Silas Fletcher were the last to leave it. Fletcher actually dragged him off; gave him his great coat to disguise him; telling him at the same time that his (M'Kenzie's) life was of more consequence to the cause and the country than his own. His escape to Col. Lount and his friends was next to a miracle.

immediately after this affair, the cowardly Governor, and his equally cowardly followers, burnt Montgomery's splendid hotel, outhouses and offices—a man who had nothing to do with the revolt, and whose only crime was that he was a reformer. He was taken prisoner, tried and condemned to the gallows, merely because the patriots rendezvoused at his house in his absence.

Mr. Gibson's house and well filled barns were next destroyed.

We have been thus minute in detailing the circumstances which led to the unfortunate failure at Toronto, to show that it was in no way attributable to Mr. M'Kenzie. It has been industriously circulated to his prejudice, that it was entirely owing to his bad management and cowardice. This is far from being the fact. It is well known to all who witnessed his conduct, that it was not owing to any want of management, energy, or decision, on his part, that the day was lost. The martyrs, Lount and Matthews, often declared, when in prison, and under sentence of death, that "if M'Kenzie's plans had been acted upon, and his counsel followed, their success would have been inevitable." It was his daring contempt of danger that his friends most blamed him for.

The principal causes of the failure were, the want of arms, the altering of the original day of the general outbreak from Thursday to Monday, and the circulating of

the false report that Sir Francis had discovered their plans, and had issued arms to four companies of the militia to apprehend the ringleaders. which report was believed, and consequently cast a damp on the ardor of many.

Had M'Kenzie not been thwarted, by counter orders as to the time of rendezvousing, one hundred men could have taken Toronto on Thursday. But the alarm once given, it required resolution and courage, which plainly appear to have been wanting. As there were few troops, the country people, had they acted in the spirit of their previous resolutions, could have cleared Upper Canada, if but armed with broom-sticks. Until the orangemen arrived, out of thirty-five thousand persons in and within sixteen miles of Toronto, only one hundred and fifty joined Sir Francis after he had 'beat to arms' for two whole days. The most of *these* were tory college boys, lawyers and judges. Such was the popular feeling against him. But when the people fail, all fails—as they surely did in the affair of the Toronto revolt:

After many hair-breadth escapes Mr. M'Kenzie arrived at Buffalo, on the 11th December, nearly worn out and destitute.

Late on the evening of the 8th December, Dr. Duncombe was informed by a friend immediately from Toronto, that warrants for high treason, against him and some others in the London district, were issued at Toronto, for his and their immediate arrest; and he was advised to consult his personal safety. The Doctor, conscious of having done no overt act to justify the government in pursuing such a course towards him, was at a loss, for some time, what to do, or how to act; but having consulted some of his friends, they advised him to face the storm, and stand his ground. A meeting of the reformers was forthwith called, to deliberate what measures were best calculated to meet the exigency of the times. Among the resolutions passed, it was resolved to protect the Doctor, and to prevent arrests for treason in the London district, and to arm themselves, and proceed, under his command, to liberate J. J. Parker, who was then incarcerated for high treason in the Hamilton jail. Unfortunately for Parker, he was removed,

a few days previous, to Toronto. This was the first attempt, in the London district, of a forcible resistance to the government.

On the evening of the 10th, E. M. received despatches from Young street, stating that M'Kenzie was in possession of Toronto; urging him to muster the friends, and march instantly to that capital. This was the first intimation they had of the outbreak. They expected it; but not just then. Dr. Duncombe received another, immediately afterwards, to the same effect. Heralds were instantly despatched to summons the friends of liberty to arms, and to rendezvous at Oakland, where the Doctor should join them. The roads were very bad, and in some places almost impassible, consequently the messengers were some time executing their orders. The sturdy yeomanry, however, turned out as they were warned, without one waiting for the other. Those who were unfit for field service harnessed their teams, collected provisions, and drove to the camp. Appearances were favorable; the country was in motion; the roads to the rendezvous crowded with volunteers.

Government, having received early intimation of this sudden appeal to arms in the London district, despatched Col. McNab with five hundred of those tories who assisted in defeating M'Kenzie, with orders to disperse the rebels, seize Duncombe and other leaders, and send them prisoners to Toronto.

On the 13th, the patriots amounted to about six hundred fighting men, exclusive of those unarmed. Intelligence was this day received that McNab was at Brantford, on his way to attack them. The men were very anxious, and strenuously insisted on meeting him. To allay their impatience, it was reported they were to attack Col. Simmons, who had collected a body of Orangemen at Simcoe, to join McNab; and after defeating him, to fall in McNab's rear. While preparations were being made, the unfortunate tidings of M'Kenzie's defeat arrived, with the news of the sad reverses in the Lower Province. A consultation was had immediately, in which one party urged the necessity of attacking McNab forthwith; that the news of his defeat would strike a panic among the tories, who, notwithstanding



ing having the government on their side, were conscious of their weakness. It would also establish the wavering, and induce the more resolute to rally to their standard, and perhaps stimulate their friends throughout the Province to co-operate with them. Another party, was of the opinion, that as the friends at Toronto were defeated, the report of it would cast a gloom on the ardor of many of their best friends; give courage to their enemies, and induce the wavering and timid to join them. Besides, they were ignorant whether their friends in other parts of the Province had risen in arms; and they had no prospect of receiving reinforcements from any quarter, and were also deficient in arms, ammunition, and other military stores: and not knowing how or where to procure them; and being then nearly surrounded by their implacable enemies—Col. McNab on one flank, Simmons on the other, and Askins in their front—all things considered, they deemed it most advisable to break up and disperse, and await a more favorable opportunity. But the party for attacking McNab, insisted on their opinion; and, after some warm debates, it was resolved to march to Norwich, obtain recruits, and there maintain themselves, until they were informed whether any other part of the Province were under arms; and, if obliged to abandon that post, to fall back on Malden, and there fortify and defend themselves to the very last. Late in the the evening, orders were accordingly given to retire on Norwich. On the march, the men became disheartened, they saw their back turned to the enemy, when they expected to be led against him. They considered their efforts for freedom hopeless; and during the night they dropt off one after another, until, before morning, they all disappeared except a few who remained with Doctor Duncombe; and these were directed to provide for their safety. Handbills were immediately circulated by Sir Francis Bond Head, offering a reward of four thousand dollars for Duncombe's apprehension. After six weeks' hiding in cellars, dodging in woods and swamps, and suffering every hardship and privation a person could endure and live, through the interposition of a kind Providence, and the assistance of friends, he arrived at Detroit, a mere skeleton.

Two other leaders, Jesse Paulding and Mr. Fisher were sixty-four days in the woods, the snow knee deep, before they effected their escape ; during five of which they subsisted on one small cracker each. It is generally supposed that many perished with hunger and cold, of whom there is no account.

The citizens of Buffalo, some days previous to Mr. M'Kenzie's escape, held meetings to consult in what way they could best assist the Canadian patriots to obtain their Independence. The greatest enthusiasm prevailed there, and on the frontier generally in behalf of the Canadians. On the evening of the 11th December, it was wrought up to the highest point of intensity by the immense meeting gathered at the theatre at Buffalo, with the expectation of hearing Dr. Rolph, one of the proscribed. He did not appear ; but the news was communicated that one of the leaders of the insurgent movement in Upper Canada, was actually in the house of Dr. Chapin, a distinguished revolutionary patriot. The Doctor attended the meeting ; was called to the chair, and then commenced a scene of thrilling interest. The Doctor said that he held a priceless friend and patriot under his protection ; that the blood-hounds of Canada were on his trail, thirsting for his life's blood. Who is he? cried a voice. *William Lyon M'Kenzie* was the answer. The vast assembly burst into a deafening thunder of applause. Such a scene was never before seen in Buffalo, nor such a shout of exultation heard ! "Fellow citizens !" continued the old war-worn veteran of '76, "his life is in our power ; he has thrown himself on our protection—will you protect him?" We will ! we will ! Bring him here ! "Gentlemen ! he is too sick ; too much fatigued and worn-out, to come here to-night ; but to-morrow night we shall address you. I am an old man ; but at the hazard of my life, will I protect those who throw themselves upon my hospitality. If any mean scoundrel, for the sake of a reward of four thousand dollars which is offered for him, should undertake to kidnap him, they must first walk over my dead body ! I am rather old to fight ; but I have a good bowie knife, (here he showed one of very respectable dimensions, which was greeted with three cheers.) Now,

said the old veteran, we must act with prudence. The Amalekites are among us; they thirst for the blood of this patriot. I want six strong, brave young men, as good sons as the Almighty has among us, to watch at my house to night, for fear of any attempt on the part of the blood-hounds of despotism to get at him." You may have a hundred! was echoed through the house. "No!" said the old hero, "I want six sturdy, fear-nothing boys. Who'll go?" I—I—I—exclaimed a thousand voices. A dozen sprang at once on the stage.

It is a well known fact, that a young man, of McKenzie's size and appearance, was afterwards assassinated, under circumstances which gave rise to the opinion, which his brother, then secretary to Gen. Scott, still entertains, that the Canadian tories stabbed him by mistake for McKenzie.

## CHAPTER XXI.

### Navy Island.

Prior to McKenzie's appearance in Buffalo, the celebrated Thomas Jefferson Sutherland, a lawyer of no mean abilities, who, whatever may have been his faults, has unquestionably suffered much in the cause of Canadian freedom, and one who, most certainly, felt sincerely interested for the emancipation of the oppressed and trodden-down people of Canada, had, the author believes, from pure patriotic motives, been actively engaged in procuring volunteers and other means, to aid the Canadians in achieving their independence. Having on the 3th obtained some volunteers, a quantity of arms and ammunition, he removed them to Black Rock, where they were seized by the authorities, and the enterprise broken up. However, Mr. Sutherland was not to be diverted from his object.— On the 14th he conceived the bold plan of organizing the Canadian exiles and other volunteers, as a military force on Navy Island, which, by the Treaty of Ghent, belongs to Upper Canada. This Island is situated in the rapids of the Niagara river, just above the Falls, and is not more than a mile and a half distant from Chippewa, on the Canada shore. It is a mile and a half long and a mile broad, well wooded and sheltered, and about twenty feet higher than the main shore on the Canada side, which, with the dangerous force of the current, renders it almost impregnable on that side; and a more advantageous point for a hostile demonstration against Canada could not have been fixed upon. On the 15th Dec. twenty-eight brave and fine looking young men, with R. Van Rensselaer and Sutherland at their head, embarked at Schlosser in two boats and took possession of the Island in the very face and teeth of British battery and 500 troops.

The selection of this bold position by the Sons of Liberty, produced strong sensations in Canada and the adjoining portions of the State of New York, and greatly increased the feeling of enthusiasm prevalent for the liberties of Canada.—



Every day brought large accessions to their numbers. The tri-colored, twin star banner of liberty being unfurled and planted, Van Rensselaer, with the title of General, was invested with the supreme command, and Sutherland next to him. The General immediately commenced fortifying the Island. His first care was to mount an old scow with a double fortified long nine pounder, to serve as a channel guard battery and prevent surprise while the works were progressing. Volunteers, supplies of clothing and provisions, in most bountiful profusion, from all parts in the neighborhood, poured in upon them.— Their armament soon amounted to six field pieces and several hundred muskets, besides those in use by the men. A provisional government was got up, of which McKenzie was Chairman, pro tem. From this a proclamation was issued, setting forth the object of the Patriot army—promising a bounty of three hundred acres of wild land to all volunteers who should serve during the struggle, and a reward of £500 was offered for the apprehension of Sir Francis Head. McKenzie also issued various denominations of money in the form of Treasury notes, payable from the resources of the new government, whenever it should be established, which were readily taken in payment by all who had any connection with the volunteers. This demonstration of hostility, after all internal danger within the Province had ceased, naturally excited the alarm of the British authorities of Upper Canada.

Col. McNab, who had marched against Dr. Duncombe into the London District, meeting with no resistance there, assembled a body of nearly 2,000 Orange men. With these he was ordered by the Governor to march to Chippewa to watch the movements on Navy Island. On arriving on the Niagara frontier, he assumed the command of all the British forces in that quarter, and immediately commenced canonading the Island. The heroic sons of freedom were not slow in returning the compliment; they silenced his battery and dispersed his red coats in every direction. Sir Francis B. Head issued fresh orders to McNab, urging him to drive the Republican brigands off the Island, at the expense of the last drop of blood in Upper Canada. McNab exerted every means, by land and water, to dispossess them. Six and nines, eighteens and twenty-four pounders' shells and rockets were incessantly showered on the devoted Islanders without effect. The stubborn Republicans returned shot for shot, dismantling the Queen's batteries as often as they were prepared. Several attempts were

made by water, on strongly fortified flotillas, to approach the Island; but the vigilance of McKenzie and Van Rensselaer, and the unerring eye of McGregor, as often drove them back.

Early in the morning of the 29th Dec. McNab was informed by citizens from Buffalo, that the Steam Boat Caroline would be down that night—that she had taken out a licence as a ferry boat for passengers, to ply between Buffalo, Schlosser and Navy Island. McNab fancied he saw, in this affair, a fine opportunity to display his gallantry in the service of Queen Victoria. He, in conjunction with one Drew, a retired navy officer, formed a plan to devote this unarmed and unoffending boat to destruction.

On Friday the 29th, the Caroline left Buffalo for Navy Island with passengers, and continued through the day to ply as a ferry boat between the Island and the shore, on the private account of the owner. In the evening she was securely moored at Fort Schlosser, a landing place on the American shore. A small tavern was the only accommodation this place afforded. The tavern being very full, a number of gentlemen whom the novelty of the circumstance had brought to the spot, took lodgings in the boat. At 8 o'clock an unarmed watch was placed on the deck, there being only one pistol aboard and no powder. At 10 o'clock, P. M. Drew put off from the Canada shore, with forty-five volunteers in five boats. At midnight they boarded the Caroline and instantly commenced a furious and deadly attack upon the unsuspecting and unarmed inmates, who of course were easily overpowered. A number were severely wounded, and one Mr. Durfee killed as he was leaving the boat. Many, from the suddenness of the surprise, jumped into the river. The war cry of the assailants was "G—D D—N THEM, GIVE NO QUARTER TO THE YANKEE DOGS—FIRE, FIRE. LET NONE ESCAPE." The boat was quickly loosened from the wharf, towed into the stream and set on fire. In a few minutes, the strong blaze which shot from the burning timbers, made the force on Navy Island and the shore, aware of the deed. The thrilling cry ran round that there were living souls aboard, and as the vessel, wrapt in vivid flame, which lightened the gloom as it shone brightly on the water, was hurrying down the resistless rapids to the tremendous cataract, the continued thunder of whose roaring, more awfully distinct in the midnight stillness, horrified every mind with the idea of their inevitable fate. Numbers caught in fancy, the wails of des-

pairing, dying wretches, hopelessly perishing by the double horrors of a fate which nothing could avert, and watched with agonizing attention the flaming mass, till it was hurriedly swept over the falls to be crushed into everlasting ruin, in the unfathomed tomb of darkness below. Several Canadians who left the Island in the Caroline that evening, to return the next day, have not since been seen or heard of, and doubtlessly were hid on board and perished with the ill-fated vessel.

The monsters who could plan, and the savages who could perpetrate a deed so dreadfully horrible, and so terribly appalling, ought, in all conscience, to be served in the same manner. Why did the cowardly, murderous, gang pass Navy Island, where the Patriots had boldly and fearlessly hoisted their flag, and waited for them, to attack innocent and unarmed men in an unarmed boat, in the dead of night, in a country at peace with them, and butcher, burn and drown unoffending citizens, in cold blood? McNab planned it; Drew executed it; Sir Francis B. Head sanctioned it, and the British government approved it, and rewarded the villains!!! Drew is promoted; McNab is knighted and received the royal thanks, and now the British government threaten war with the United States for daring to seek redress for their murdered citizens and outrageously insulted flag! If this atrociously wicked affair is permitted to pass unredressed, citizenship in the United States is no protection at home or abroad. In the British dominions it is a signal for insult, or a passport to death.

The whole of this circumstance lent a character of aggravation to the transaction, that deeply exasperated the public mind in every portion of the United States. Hitherto the citizens on the borders of New York took little more interest in the Patriot cause, than merely to sympathise with, and wish them success; but the perpetration of this execrable deed, aroused the citizens to vengeance. Hundreds volunteered to aid the Patriots, who never dreamt of it before; and had it not been for the unceasing perseverance of the United States' authorities to maintain their neutral relations with Great Britain, the despotic government of Upper Canada would have been overthrown from Navy Island, long since.

January 4th, 1838, formidable preparations were being made in the British camp, to attack and carry the Island, at all hazards. McNab convened a council, where it was unanimously resolved, by the officers, to put every living creature on the

Island to death, when they took it. The watch word given, was, "no prisoners," "no quarters;" but the unslumbering vigilance of the Navy Islanders frustrated their designs and compelled the British to seek shelter under their batteries.—It was generally supposed, on the Island, that one of their scows went over the falls. About this time McNab's force numbered full 5,000—those on the Island not over 600!!

On the 10th Gov. Marcy and Gen. Scott arrived at Buffalo, and on the 11th visited Fort Schlosser and compelled Gen. Van Rensselaer, with his forces, to evacuate the Island on the 14th, under the penalty, if they occupied the Island any longer, of being treated as out-laws.

Gen. Van Rensselaer and his immediate compatriots, after having maintained the tri colored flag, with its twin stars, floating in the breeze for nearly five weeks, in stern defiance of McNab—his 5,000 men at arms—his numerous boats and batteries, reluctantly evacuated the Island at the time appointed, leaving nothing but an old horse, which the royalists carried in triumph to Sir Francis B. Head at Toronto.

On the very day that Navy Island was evacuated, the beautiful village of St. Eustache, 21 miles north of Montreal, was attacked by Sir John Colborne with 200 cavalry, a large train of artillery, several regiments of regulars and Canadian loyalists, and a portable gallows to hang the leaders who might be taken alive and in arms. Sir John's army was 2,500 strong. St. Eustache was singled out for vengeance, because its citizens had protected from arrest, some of the honest members of Assembly, whom the government sought to destroy. The Canadians, as at St. Dennis, were some 300 persons, badly armed and so scarce of balls that some of them fired off marbles. They took possession of several buildings and barricaded themselves. Dr. Chenier and sixty more, threw themselves into the church, a very massive building in a commanding situation, and flanked by two stone buildings. The enemy surrounded the village and cut off all retreat. The Clergyman's house was first burnt, having been fired with congreve rockets, and the people who retreated to the cellars of the convent were either burnt or suffocated. The soldiers next surrounded the church, under cover of the smoke, and two officers of the royalists set fire to it, leaving the wounded to perish in the flames. Some leaped from the windows and were met with volleys of musketry. Dr. Chenier and a few brave men,



jumped through a window into the grave yard, where they fought with all the desperation of a forlorn hope. A ball soon brought their leader to the ground; but he rallied his sinking strength, rose, and discharged his gun at the enemy—twice again he was brought to the ground, and twice he arose to the attack. The fourth time he fell to rise no more! Chenier's fall was the signal for an indiscriminate slaughter of the remainder of his brave band. "No quarters," was the cry, and with few exceptions, all were massacred. Some few made for the ice, in hopes of gaining the opposite woods. One by one they were picked off by the marksmen posted at certain distances; and the unfortunate stragglers fell and perished amidst the bleak wintry snows of Canada.

After four and a half hours fighting, Sir John Colborne obtained possession of the village. Many lay dead, wounded and weltering in their gore. The stench from the burning bodies was very offensive. The village was given over to pillage—property plundered—women violated, and seventy of the best houses in town and country, burnt to the ground. Old men, women and children left houseless, flying to the woods for shelter. Children screaming, women weeping in the agonies of despair—old men praying in dreadful frenzy for mercy—there was none for them—death ended their troubles. Dr. Chenier's mutilated body was exposed—his clothing stripped from his yet warm limbs—the body cut into four quarters—his heart torn from his breast—his eyes gouged from their sockets, and his manly, lacerated limbs exposed to the gaze of the barbarous soldiers. His property was entirely destroyed: even his beautiful and accomplished lady had to fly for her life.—Night closed upon the sacking of St. Eustache, and the whole country around seemed one sheet of lurid flame, in the midst of the horrors of a Canadian winter. Those who escaped the bullet, the bayonet and the fire, were doomed to perish in the chilling snow.

Capt. Marryat, who accompanied Sir John Colborne, was at the battle. He says the English soldiers, and their officers, were so exasperated against the Canadians, that "it was a service of danger to attempt to save the life of one of these poor creatures." About midnight he went to see the church; the floor had been burnt to cinders, and "between the sleepers were scattered the remains of human beings, injured in various degrees: some with merely the clothes burnt off, leaving the

naked body; while here and there the blackened ribs were all that the fierce flames had spared. Not only inside the church, but without its walls, was the same revolting spectacle--and farther off were bodies, unscathed by fire, but frozen hard by the severity of the weather."

On the 15th Dec. Sir John Colborne, with his destroying army, entered St. Benoit, or Grand Brule, without resistance.--Three hundred farmers met him, with white handkerchiefs in their hands, as a token of peace. The inhuman monster arrested vast numbers and sent them off to Montreal jail. Hundreds took to the woods, and the village was given up to plunder. On returning on the 16th, after rifling it of every article they could carry off, Sir John ordered it to be burnt, leaving the poor habitan, with his helpless family, to starve with hunger or perish with cold. All-powerful Creator, in thine own way and time, visit these cruel destroyers of the human race!

Amury Gerod, one of the leaders, was stopped on his way to the United States, through the officiousness of one John Taylor, of Long Point. When escape seemed inevitable, he shot himself. His body was brought to Benoit, beheaded; his head exposed on a pole, a stake driven through his body, and his body buried at the cross of four roads. The London Times denounced these infernal acts.

In one month 500 Canadian houses were burnt, and property destroyed to the value of upwards of one million of dollars.

Dec. 25th, Gen. Sutherland was detached from Navy Island for the western frontier, and about the 9th Feb. 1838, with 500 volunteers, took possession of Bois Blanc Island in the river Detroit, and ordered the schooner Ann, Capt. Bordineau, to the north-western end of the Island to watch the motions of the enemy on the Canada side, while he should prepare for a demonstration on Malden. At the urgent request of some one on board, Capt. B. against his own inclination, weighed anchor in order to pass Malden; but unfortunately, the wind blowing hard, she grounded, and after some resistance, was captured by the militia and negroes.

In this affair the Patriots had several killed, and the whole crew of twenty-six, including Cols. Dodge, Brophy, Capt. Davis and Dr. Theller, were sent prisoners to the London jail, on charge of high treason. This vessel was a valuable prize for the captors. It contained three cannon--one nine and two six pounders, three hundred and sixty stand of small arms,

with bayonets and accoutrements complete, a large quantity of ammunition, and six hundred and thirty dollars in specie, besides clothing and other materials. Col. Bradley, a gallant Patriot officer, who was present, in his report says: "There is no doubt that if Gen. Sutherland had attempted to relieve the schooner *Ann*, her capture would have been prevented; for he had, at that time, between sixty and a hundred men under his immediate command, who expressed their willingness to make the attempt to save her from falling into the hands of the enemy. Capt. Sanford earnestly requested Sutherland to order the men into the boats, to prevent her being taken—he appeared to comply with the request; but instead of performing what every man there supposed was his intention, as soon as the men were on board, he ordered them to pull for the American shore, saying, "the enemy are attacking us, and we must flee for our lives." He further adds, "if Sutherland had effected a landing, he could have maintained it; he had a sufficient number of men, directly under his command, to have made good his position, without the aid or assistance of a single Canadian. However, he had the promise of assistance from three or four hundred Canadians; but in consequence of his want of military experience, they were driven to the necessity of uniting with the royalists." Thus ended Gen. Sutherland's military career, although not his misfortunes.

On the evacuation of Navy Island, Jan. the 14th, the Steam Boat *Barcelona* was employed to carry the Patriot ordnance and stores to a place of safe-keeping in the vicinity of Buffalo. On arriving at Black Rock, she was intercepted and blockaded by two armed British schooners, who, to all appearance, intended to make her a prize. Gen. Scott, of the American army, being then at Buffalo enforcing the neutral law of 1818, on being officially apprised of the intentions of the British schooners, ordered two companies of the Artillery and two field pieces to the spot, and accompanied them in person, with the avowed determination to protect the boat, and maintain the honor and dignity of the National flag, in the event of the British offering the boat or crew the least violence on the American waters. The excitement created by the menacing attitude of the British navy, towards an American boat, within the waters of the United States, exceeded any thing heretofore witnessed on the frontier. Young men and old—all turned out, determined to cross into Canada, should a gun be fired, or any

attempt made to board her. The British were rapidly concentrating their forces on the Canada shore, and the schooners, apparently, manœuvring to attack her the instant she weighed anchor. Every motion of the British indicated an immediate recourse to hostilities. Gen. Scott took his position, prepared for the emergency; but to prevent the unnecessary effusion of blood, he despatched one of his aids to warn the British commander that any violence offered to the boat, would be considered as an act of open hostility against the United States, and that, in such a case, he should feel himself bound, with all the means at his disposal, to maintain the dignity of the Commonwealth and the honor of the National flag, adding that he, the British commander, must consider himself responsible for the consequences. During this interval, the saucy Barcelona weighed anchor, steered towards the British schooners, evidently daring them to molest her, and then proceeded on her course. The British commander remembered Lundy's Lane; knew Gen. Scott to be a man of his word, and, like an entrapped wolf, the English commander hung his head and sneaked off to his lair. Thus, through the determined firmness of Gen. Scott, ended an affair which, in all probability, would have otherwise proved fatal to the peace of both nations.



## CHAPTER XXII.

### Northwestern Frontier Expedition.

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On the 18th January, the Navy Island boys took up their line of march for the northwestern frontier, under the command of Gen. D. McLeod, to join the volunteers in that quarter. The ostensible object of this movement was merely to draw the attention of the British troops towards the western district, while M'Kenzie and the celebrated Bill Johnston were to make a demonstration on Kingston from Hickory Island with the northeastern volunteers.

The brave Navy Islanders voluntarily undertook this march of nearly five hundred miles, upon their own resources, in the dead of winter, sometimes paddling through mud and mire, at other times through snow and deep, enduring the alternate changes of weather, sleet and snow, rain and frost, with as much cheerfulness and determination of purpose as if they were going to take peaceable possession of a land flowing with milk and honey.

On the second day of their march, through the officiousness of the U. S. officers, Col. Worth, with a detachment of regular troops, seized, at Fredonia, their arms, ordnance and stores, leaving them entirely destitute. This was enough to dishearten common men; but not these gallant men, instead of desponding or brooding over their loss, pushed forward, determined not to be diverted from their object by every trifling accident.

Their conduct during the march was exemplary, and convinced the citizens that they were more than ordinary men. Wherever they quartered for the night, the inhabitants declared that they never saw a more peaceable or better behaved set of men. The citizens, every where, on the line of their march encouraged them; supplied them with food and lodgings; frequently clothing the needful and ministering to the comfort of the sick and worn out. The enthusiasm of the people for Canadian freedom ran high.

had the patriots been permitted to proceed unmolested by marshals, sheriffs, constables, &c. they would have entered Canada full ten thousand strong, armed and equipped. It was the United States government, and not British troops, that saved Canada in 1838.

At Conneaut, in consequence of the overbearing conduct of Col. J. S. Vreeland, and his usurping and exercising authority not connected with his duty or office, it was deemed advisable, by the officers in council, either to degrade or dismiss him altogether; but as he was in possession of some important secrets relative to the expedition, and being also of an implacable and vindictive disposition, and having it in his power to do much harm, should either of the above alternatives be adopted, it was resolved to recommend Gen. McLeod to appoint him Brigade Inspector, as the duties of that office would place him more immediately under his eye, and remove him from the command of his regiment, who literally detested him. This was in fact degrading him; yet he was too ignorant to know the difference, and accepted the office cheerfully. But fearful of after consequences, it was deemed advisable to appoint him master of ordnance, in hopes that this additional trust would stimulate him to every exertion in securing the arms and forwarding them to Portland City. In order to assist Vreeland in collecting and transporting the arms and baggage, Mr. Henderson was appointed his assistant, who was forthwith directed to return to Buffalo with despatches, as well as to collect and forward the arms secreted at the different places designated in his instructions. Vreeland, at the same time, received his orders to forward those in his possession and accompany them in person to the same place, and there remain till further orders.

Major Bacon, being appointed Colonel, vice Vreeland removed, was ordered to march with his regiment to San- dusky, and there remain until the General should join him. Major Wilcox, in consequence of his faithful and unremit- ted exertions in the service was appointed Colonel in the army, and retained with the General as an aid, by order of the commander-in-chief, Gen. Van Rensselaer.

The officers of the different departments being instructed

in the discharge of their respective duties, and every thing appertaining to the expedition properly arranged, the General with his suite proceeded to Sandusky, to mature his plans and make further arrangements, previous to his returning to Canada.

At Conneaut may be dated the commencement of Vreeland's public treachery. The arms entrusted to his care, at this place, were never seen afterwards. At Portland City he introduced himself as commander-in-chief of the Patriot service; took up his head-quarters at Mr. Victor's Inn; ordered the landlord to supply his officers with the best cheer, and told him that his paymaster would foot the bill.

On arriving at Sandusky, the commanding General, by invitation, made his head-quarters at a private gentleman's house, where he and his staff were received with the most marked attention. Here the plans for entering Canada were matured; the army divided into two divisions. Col. Seward, with the right, amounting to about two hundred men was ordered to Port Clinton; there equip his men; cross on the ice to *Point au Pelee*, and make a diversion into Canada, while the General, Adjutant Gen. Ashley, and Col. Wilcox, should proceed to attack Malden, with the forces in that vicinity. Vreeland was ordered to transport the arm boxes to Port Clinton, immediately, that Col. Seward might experience no delay in waiting for them. He reported that he had none to forward. A council of officers was instantly called, and Vreeland summoned to appear; and on being asked what he had done with the arms delivered to his care at Conneaut, he replied that he was the commander-in-chief; that the council was illegal—had no authority to call him to account, and that he would not abide their decision—that the arms were somewhere, some in Pennsylvania, some in Ohio, and some in Michigan. After a consultation of some hours, he finally acknowledged having done wrong; that the arms and ammunition were forwarded to Perrysburgh and Monroe, and that for the future he would obey the orders of his superior officers. The General proposed dismissing him instantly; but the council thought it not prudent; that it would be better to

bear with him until they got possession of the arms. He was then ordered to repair immediately to Monroe; collect the stores, and there await until the General arrived with the men. An express was immediately sent to Col. Seward, apprising him of Vreeland's conduct; enjoining him to remain where he was, until Maj. Lawton arrived from Pennsylvania, with the arms in his charge; and then take up his line of march for Point au Pelee; refresh his men, and proceed as directed by former instructions. Mr. James McKenzie, an officer of trust, was also despatched to Monroe, to watch Vreeland's motion.

Every thing being arranged as well as circumstances permitted, the General, previous to his departure, sent to the landlord, Mr. Victor, for his bill, who brought in an account of \$116, which the General supposed meant \$1.16, as he had been there only one night. Mr. Victor explained, that Vreeland directed him to supply the men as above stated. All the funds in the hands of the proper officer, to discharge this unexpected bill, were barely \$65, which was paid over to Mr. Victor by Cols. Wilcox and Seward, who gave their acceptance for the remainder. This money was the voluntary contribution of the citizens of Bloomingsville, Huron, Norwalk, and Maxwell, who gave besides a large quantity of flour, pork, and beef for the use of the patriot service. Vreeland was well aware, when he ordered this unnecessary expense that the men had plenty of provisions, and no person was better acquainted with the low state of the Patriot funds than he was, for he was continually drawing upon it, under the pretence of hiring teams. Besides, he collected large sums for the benefit of the service, for which he never would account. But all this would have been overlooked, had his treachery ended here.

Having settled this affair, and giving the necessary directions to the men, the General, with his staff, left Sandusky late in the evening of the 18th Feb., and proceeded with all possible haste to overtake Vreeland, and concentrate the men at Monroe, previous to a descent on Malden. Vreeland was overtaken at Toledo, where he told the General that he had, or would have, nine hundred stand of arms,



six six-pounders and two fours, at Monroe, ready as soon as the men arrived. Col. Wilcox asked him whether he asserted this as a matter of fact. He answered, with an oath, that he could place his hand on the whole of them at any moment.

Dr. Duncombe, having recently escaped from Canada, met the General here for the first time. Having communicated the object of the expedition to the Doctor, and other particulars, they left early in the morning for Monroe. On arriving at that place, they found Vreeland at his old tricks, issuing orders as commander-in-chief. A council was again called to consult what means should be adopted to obtain from him the possession of the patriot arms and equipage, and how to dispose of him otherwise. Vreeland, after being summoned, appeared in the council. The General mildly asked him what object he had in view by acting in the manner he did? what he meant by issuing orders in direct opposition to the plans matured and adopted? He impudently replied, "*My sweet fellow, I mean, by G—d, what I have written!*" The General's passion, at this time, got rather the upper hand. Col. Wilcox stepped forward and demanded of him what he meant by such insolent language to their commander, placed a brace of pistols on the table, told Vreeland to take his choice and follow him. Vreeland apologised, and the affair was hushed up. From this time the officers treated him with the utmost contempt. Seeing that he had gone too far, and had none to back him up in his pretensions, he drew up a document, regretting his past conduct, and promising submission for all time to come. On offering this apology, the General was about spurning it with contempt; but the council advised otherwise. The General thus addressed him, viz: "Vreeland, I accept this, by the advice of the council, as a pledge for the future. You acknowledge your past conduct to have been ungentlemanly and unofficerlike; and desire to be restored to confidence. I have none in you; but your brother officers are willing to bear with you a little longer, and forget the past, on condition that you deliver the arms and ordnance in your possession to Col. Wilcox, forthwith" This he promised to do on the receipt of a general order to

that effect. Col. Wilcox then asked him in presence of the council what amount of arms he had in Monroe? He answered, "I have arms for nine hundred men; five boxes of fixed ammunition, at least a sufficient quantity to supply nine hundred men with twenty-five rounds each, or more; five kegs of powder; eight pieces of artillery completely mounted, i. e. six sixes, and two four pounders. 'Tis men, he said, not arms that are wanting."

The General directed the Adjutant General to issue an order to Col. Wilcox to take charge of the arms from Vreeland immediately. An order was accordingly issued, of which the following is a true copy:

*Adjutant General's Office, }*  
Feb. 22, 1838. *}*

[General Orders.]

The Brigade Inspector, J. S. Vreeland, will in person point out where the arms, ammunition, ordnance and ordnance stores belonging to the Patriot service are, and delivered the same to Col. Calvin Wilcox forthwith.

By order of the General commanding,

ROBERT W. ASHLEY, *Adj't Gen.*

While this was preparing, and previous to the breaking up of the Council, Vreeland disappeared, and contrary to his pledged faith, suddenly removed and secretly forwarded the arms to Swan Creek, where the persevering and indomitable Col. Wilcox, after much trouble overtook him; presented the order, and demanded a delivery of the property. He promised to comply and to deliver them in the course of the evening. The men were then marched to Swan Creek to receive their arms, and from thence proceed to their original destination. About 8 o'clock, P. M., Vreeland, with a double sleigh, containing one hundred and seventy five stand of muskets, drove up to the inn where Wilcox, with a small party of men were on the look out. After taking possession, and charging the teamster to wait, he went to call the men and pay for their supplies, which did not exceed five minutes, and on his return, team, teamster, arms and Vreeland had disappeared. The arms were never seen afterwards. After two hours fruitless search, by Dr. Duncombe, Wilcox and others, a council was again called to resolve what measures to pursue. Some of the

officers were for arresting Vreeland and, unless he delivered up the arms, or pointed where they were, to execute him on the spot as a traitor; but this was overruled, for certain reasons.

The attack on Malden was necessarily given up; and Col. Wilcox despatched a second time in pursuit of Vreeland. He overtook him, a little before day-break, within nine miles of the river Ecorse; but he positively denied any knowledge of the arms. On finding that Col. Wilcox was not to be trifled with any longer, he promised the Colonel if he should follow him to the river Ecorse, to deliver the whole up without any further trouble. On arriving at this place nothing could be found, nor, consequently, was any delivery made. After a long and tedious night's march the General and men arrived between eight and nine in the morning of the 24th, opposite Fighting Island, but no Vreeland or arms could be found. At 11 o'clock, the General received notice that two companies of the United States troops were on their march from Detroit, to disperse the men and arrest the leaders. Col. Wilcox was immediately ordered to parade the men on the ice. All the arms in their possession were barely six rifles and one musket, a few swords and some pistols. The General addressed them in a very animated speech, and at the conclusion asked them whether to avoid the U. S. troops and marshals they would march with him and occupy Fighting Island until the arms arrived. All responded in the affirmative—gave three cheers, and marched off under the command of Col. Wilcox. Through the treachery of Vreeland these brave men were thus unavoidably placed between two fires, having their enemy, the British in front, without the means of defending themselves in the event of an attack; the U. S. troops in their rear, to starve them out and prevent any succor reaching them. Had the British known their destitute condition, and attacked them in the night, their case would have been desperate.

After they had marched for the Island, the General remained for a short time to consult with Dr. Duncombe on matters relating to the expedition, and if possible to prevail with Vreeland to give up the arms, or inform where they could be found—but all to no effect. Vreeland was then

ordered to join the patriots on the Island forthwith ; but mistrusting the consequence, and to avoid the appearance of disobeying orders, he solemnly declared that he and the arms would be on the Island in the course of the night ; at the same time urgently requested the General to grant him six men, to be posted at different places as sentinels, to prevent the sleighs loaded with the arms falling into the hands of the U. S. troops or marshals, as well as to pilot the sleighs secretly to the Island. To leave him without excuse, this request was granted, the men were posted as he thought fit, and there he left them, during a long, tedious, cold night.

Dr. Duncombe having lost all further confidence in him, mounted his horse and rode to Detroit, to collect and forward all the arms he could. On arriving there he published the following notice : " The patriots, under the command of Gen. D. McLeod, hoisted the standard of liberty in Upper Canada. He delivered a short and spirited address to the men, in which, after briefly relating the evils of an irresponsible government, the oppression of the people in Upper Canada, concluded by adding that their present object was undertaken in defence of the inalienable rights of man, and to extend to their suffering Canadian brethren the enjoyment of equal rights, and of civil and religious liberty. Not a heart was cold ; not an eye was dry, or a voice silent ; but long and repeated cheering evinced the zeal and determination of the brave men, who then stood prepared to recover their lost possession in Canada, emancipate the slaves of British tyranny—or die. Gen. McLeod evinced the true spirit of a determined commander ; but not so Mr. Vreeland. His conduct must be held by every honest man in utter detestation."

Having arranged with Dr. Duncombe, the General, with the remainder of his officers, left for the Island, to direct the future operations of his brave, but unarmed compatriots.

Vreeland, now finding the coast clear, dressed himself, it is said, in the unfortunate Gen. Sutherland's regimentals, went into the room where the United States marshals were, introduced himself as J. S. Vreeland, Brigade Inspector, Master of Ordnance, and Commander-in-chief of the Patri-



ot service, and if they had any business with him he was there himself. The marshals, guessing his object, looked upon him with ineffable contempt, thrust him out of the room; but on his reappearance, they were compelled to make him a prisoner. At the same time he delivered up a sleigh load of arms sent down that morning from Detroit, for the use of the Patriots, which he had kept concealed till then.

On arriving on the Island, the General's first care was to visit the pickets and outposts, to see for himself that they were so posted as to prevent surprise. On reviewing them he declared himself satisfied with the skillful manner in which Col. Wilcox planted them, and returned very much fatigued to his camp, the snow being considerably deep. Officers being appointed to take the rounds during the night, the General laid down about 1 o'clock in the morning, requesting Col. Wilcox to awake him and warn Adj't Jones, to call the men out half an hour before day break. During the night, however, about forty muskets arrived, of which thirty-five were serviceable. These were procured through the exertions of Dr. Duncombe and our friends, and were immediately put into the hands of the men. Capt. Dodd, from Toledo, formerly of the U. S. army, was put in command of the armed men, and was busily employed with his company during the night in making cartridges. According to order, the men paraded before day-light. They had now forty-seven stand of arms, and appeared in good spirits. After drilling them a few moments, and giving the orders of the day, they were ordered to breakfast in haste, (as the enemy were assembling on the Canadian shore,) and be ready in case of alarm to assemble where they then stood. At day-break, as the General anticipated, the British appeared on the ice, and fired on the Island, wounding one man. Capt. Dodd was immediately ordered to march a few yards on the ice, with twelve men, three paces apart, take deliberate aim, and fire among them. This had the desired effect—the British dispersed in rather a hurry; the men gave three cheers, and after remaining some time on the ice, and seeing nothing more of the enemy, they were ordered to finish their breakfast with their

arms in hand, so as to be ready to turn out in case of another alarm. About half an hour afterwards, the enemy opened their batteries, pouring round shot, grape and canister on the Island in fine style. The men with arms were ordered to form line, under Capt. Dodd. Those without, to keep in the rear, and not expose themselves unnecessarily.

Cols. Wilcox and Bacon contrived, the evening previous, to get a three pounder on the Island, which they mounted on rails, and gave in charge of Adjutant Jones; but having neither cartridges nor balls, they broke open a keg of rifle power, and loaded her in the following manner: Col. Bacon held the muzzle up between his legs; Jones poured in the powder with his hands, and rammed the wad home with a piece of broken rail, and in lieu of a ball filled her up with boiler punchens; Col. McKinney firing her off. This they repeated two or three times.

The British forces appearing at this time, full five hundred strong on the ice, Capt. Dodd was directed to form his men at the edge of the Island, and keep them as little exposed as possible, and not to fire until the enemy arrived within fair reach. They soon approached. A steady fire was kept up by both parties for nearly three hours, without much effect on either side.

At one time, while the General was in consultation with Wilcox, close to the only tree on that part of the Island, a six pound shot struck a large branch of the tree, about nine inches over his head. The branch, in falling, wounded Wilcox in the face. On the first alarm, two prisoners, taken the day previous, made their escape, and informed the British of the destitute state of the patriots. On receiving this information they crossed the ice in two divisions—the foot soldiers at the lower, and the dragoons at the upper end of the Island. The patriots, nevertheless, maintained their ground, until reduced to one round of cartridges apiece, and even until they were nearly surrounded. Seeing that any further resistance would only be a wanton and unpardonable waste of human life, and satisfied that all was done that brave men could do, placed in similar circumstances, the General ordered a retreat, and directed

Capt. Dodd, with his armed men to cover the rear of the unarmed, and by no means to allow them to run or break the line, which order was punctually obeyed. Previous to this as the Gen. was ordering the men without arms to retreat to the American shore, a grape shot carried away the front of his cap, severely wounding a man on his left, and destroyed a musket in the hand of another.

The General, on leaving the Island, remarked to Col. Bacon, that the three pounder would fall into the enemy's hand. This gallant son of Mars, picked up an axe, and in the face of a heavy fire, returned to the piece, broke its axis, and assisted Lieut. Lett and some others to bring off one of the wounded men.

Thus, forty seven armed Patriots kept at bay for four hours, five hundred British troops, without losing a man, and with only four slightly, and one severely, wounded. The loss on the British side has been variously stated. The truth has never been ascertained. But it is the opinion of the author, that their loss must have been trifling, if any. Thus ended the affair on Fighting Island, Sunday the 25th February, 1838.

In order to avoid being arrested, by the marshals, the officers were ordered to disperse, and make their way to Detroit, where the General should join them in the course of the next day, if possible. On approaching the American shore, he was met by Mr. Phillips from Brest, and Major Heath of Detroit, who informed him that Gen. Scott, of the U. S. Army, and the marshals, were on the alert to arrest him, and advised him to make for Brest with all possible speed. Maj. Heath having exchanged clothes with him, Mr. Phillips, with a small French pony and jumper, drove him off at the rate of ten knots an hour, and after experiencing a few somersets they arrived at Monroe the same evening. Here Gen. Scott, with the marshals from Detroit unexpectedly overtook him. It was now hide and seek in right earnest. The Patriot Gen. evading, and the American General pursuing. The marshals on the scent searching every where. The ladies, the patriot soldier's true friend, God bless them, pointed the marshals to every trail but the right one.

Late in the evening, however, they ferreted the old fox to the real burrow. Mrs. Spaulding, the landlady, seeing no possible chance for escape, with that presence of mind so characteristic of the sex, dressed the old General in lady's apparel—directed him to a room, up stairs—gave him a needle and thread with a piece of cotton cloth, directing him to keep his back to the door of the chamber, with his face towards the window, and in case he heard any person coming up stairs, to keep sewing like a lady at work, and on no account to turn his head round. This of course was strictly obeyed, for the General knew the virtue of obedience in such cases, to be better than hosts of sacrifice. In a few moments one of the marshals popped his head in and perceiving nothing but the back part of a supposed lovely female, busy with her needle, begged pardon and retired.—Mrs. Spaulding, all the time, watching the marshal's motions, came up as soon as he disappeared, told the General that she was satisfied he would not be taken this time,—and as it was late, told him he had better go to bed, and keep her cap on his head, and place his lady dress on the chair beside the bed—enjoining him at the same time to sleep with his face towards the wall, and by no means to turn round, adding that her husband, to carry the farce through, would sleep with him,—“so,” said she, “a good night's rest to you and your betrothed.”

About 11 o'clock, Mr. Spaulding came to bed, leaving a lighted candle on the table. In half an hour afterwards, two of the marshals bolted in *sans ceremonie*. Mr. Spaulding pretending surprise at their intrusion, sternly demanded what they meant by obtruding into his wife's bed room at that late hour. The marshals seeing her clothes on the chair, and a woman's head, as they really believed, at the back part of the bed, apologised and withdrew. Early in the morning Mr. Spaulding finding the marshals in the bar room, where they had remained all night, went to the room where his wife slept, gave her directions how to pilot the General to the cellar, while he should keep them in play at the bar. After conducting him as directed, she pointed him to a back door, which led into a yard, enjoining him to make his way to a certain place in the back part of the town,



and there remain, until she sent a man to conduct him to a place of safety. In an hour afterwards, Mr. Hawley a patriot of the purest water, escorted him to Mr. Hale's, another of the blood of '76 where he was kindly received and hospitably entertained, by his amiable lady, but the search was so strict and extensive, that Mrs. Hale, like Mrs. Spaulding, deemed it absolutely necessary to disguise the General a second time, nor was she longer devising the plan of escape, or procuring the means of disguise.

With the assistance of Deputy Sheriff Wood, a suit of ragged clothes, and an old furless cap was obtained, with which the General dressed himself. Being naturally of a coarse rough countenance, his *tout en semble*, was in the last degree *outré*. On coming out of his dressing room and beholding himself in a large mirror, he instinctively flew from his own reflection as from a hideous spectre. Mrs. Hale, Mr. Hawley, and Sheriff Wood simultaneous burst into a loud laugh. The scene was ridiculous. At the same time Mrs. Hale ordered a Mr. — to dress in the General's clothes, harness her best horse to the cutter, drive through the town on the old road leading to Toledo, in somewhat of a hurry, while Messrs. Wood, and Hawley and the General would take up their line of march to a tavern on the turnpike, through the woods, with an old Kosinante and a crazy lumber sled, where Mr. Hale would meet them and give further directions. Every thing being properly arranged, the cutter was drove off, a friend was immediately despatched to apprise the marshals that he had gone for a certainty to Toledo by the old road in a fancy cutter drawn by a first rate horse; that he was sure it was him from his Canadian cap and red comforter. The marshals pursued and after a chase of eight miles overtook the man in the cutter, and tapping him on the shoulder, exclaimed, "General, draw in your reins, we have some business with you." The supposed General turned round, looked them full in the face, and demanded by what authority they stopped him on the highway. The disappointed marshals looked rather sheepishly at each other. One of them remarking, "the devil is in the old fellow, he has finally hoaxed us! He is like a jack-o'-lantern, the nearer

we think we are to him the farther we are from him." 'Mr. Stewart,' said he, 'you return to Monroe by the turnpike, for he must certainly have taken that route if he has left the town, while we return the way we came.' He then apologised to the man in the cutter, who, having accomplished his orders, returned with them.

During this time, the General with his forlorn hope, was peaceably wending his way in his ragged apparel and crazy sled through the woods. On gaining the turnpike, Mr. Hale rode up and informed them that Marshal Stewart on his return from the boundary line between Michigan and Ohio had just passed him; that the coast was now clear, and to drive on without stopping. Having met no other hindrance, they arrived at Toledo, early in the evening,—Here they unexpectedly met Dr. Duncombe, who never dreamed of the General being so close to his heels. On entering the room where the Doctor had comfortably seated himself, the General, *sans ceremonie* approached the fire place. The Doctor on perceiving so ragged and apparently so miserable and wretched a being making towards him, arose in amazement and addressed him in his usually mild manner, "my unfortunate friend this room is occupied, you will find the kitchen a more suitable place." The General stood still, as if meditating, at last uncovering his head and face, he exclaimed, "what, Doctor, is the Patriot General really so transformed, that you can neither recognise his voice or features?" The Doctor laughed heartily, shook hands and congratulated him on his escape.

Late in the evening the General being informed that the Patriots under Col. Seward, had crossed over into Canada, an express was immediately despatched to Col. Wilcox, at Detroit, to collect and march the men with the least possible delay to Point au Pelee; another was sent to Col. Seward, with orders to fortify himself, and remain on the island until the General and the men from Detroit should join him. This latter express was never delivered. Early next morning another express arrived from Monroe, announcing that General Scott was hot on the pursuit, who declared in Monroe, that he would have the Patriot General if he followed him to the torrid zone,—it was a threat only. Af-

ter a few minutes consultation, the Doctor took his route for Columbus, and the General to secrete at Maumee until Scott should pass, but the pursuit was so close and the search so strict, that it was considered advisable to proceed to Lower Sandusky. On arriving there, a company of ninety men volunteered to march with him, and his aids, who joined him at Toledo, to reinforce the Patriots at Point au Pelee, Col. Bacon was sent in advance with some indispensables, to Port Clinton. As the men were getting ready an express arrived from Col. Bradley, announcing the defeat of the Patriots in the following words :

*March 4, 1838.*

GEN. D. McLEOD, &c. &c.

I arrived on the island last Thursday. On Friday evening, the officers unanimously elected me their Colonel, Col. Seward approving of their choice. Early on Saturday morning, the 3d inst. the enemy were seen at a distance, approaching the island in double sleighs, the ground we then occupied I considered untenable, and retreated five miles, formed the men in line of battle on the ice, and awaited the approach of the British, who were not long in coming up. A bloody contest ensued, the Patriots numbering only 152, the British full 500. After fifteen minutes hard fighting, the British lines began to waver and were on the point of retreating, such was the havoc our rifles made in their ranks, when Col. Maitland with 600 regulars and two field pieces, was discovered pressing on our right flank, to cut off our retreat. This turned the fortune of the day. We were obliged to retreat to the American shore.—The men behaved like veterans ;—the officers acted nobly, there was not a faint heart among them. The Patriot loss was 7 killed, 10 wounded, and 3 taken prisoners ; the British 60 killed and double that number wounded. I await your further orders. The marshals are on my trail, I am secreted at —.

I have the honor to be &c.,

E. BRADLEY, Col. com.

## CHAPTER XXII.

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### Gen. Scott's pursuit—continued.

This ended the patriot war on the western frontier for that season.

Early next morning, the landlord informed Gen. M'Leod that his friend and pursuivant, Gen. Scott had arrived, and that the Marshals were diligently searching for him. A double wagon and a span of first rate horses were instantly provided by some kind friend, who directed the teamster to drive with all speed to Mr. Drake's Inn, Portland city. The day proved very rainy and the roads extremely bad. Notwithstanding, Gen. Scott pursued Jehu like, keeping within sight of the fugitive General all the way, both driving furiously. However, the Patriot had no idea that Scott was so very close on his heels. He had scarcely seated himself in Mr. Drake's Inn when the landlord met Gen. Scott in the hall, who very prudently conducted him to another department, and immediately apprised the other General of his danger. At this time the rain descended in torrents, yet it was not a time for hesitation. Without great coat, and cap in hand, he bolted to Mr. Neal's, a private house, at some distance, where he found Col. Bradley and several other friends, comfortably quartered. Here he was kindly received and hospitably entertained. Late in the evening, Gen. Scott was informed by some busy body, that Gen. M'Leod and some other Patriot officers were secreted at Mr. Neal's house. Nothing but the heavy rain and extreme darkness of the night, prevented their being surprised and arrested. Gen. Scott, however, supposed that the Patriot General, would from a consciousness of the security of his concealment, particularly after a chase so rough and fatiguing as that which he underwent the day previous, take a long nap in the morning to refresh, and as a matter of course would be easily surprised, consequently gave himself no farther trouble that night. Gen. M'Leod was



too old a soldier to be caught napping in the vicinity of a pursuivant so vigilant as Gen. Scott. Before retiring to rest and a little after the rain slackened, Dr. Evans despatched two trusty men to Mr. Drake's to watch Gen. Scott's motions, until morning. Faithful to their trust they sat up all night. At break of day Gen. Scott and suite got up and while preparing to take the advantage of that early hour, one of Dr. Evan's trusty sentinels gave him the alarm, and he immediately apprised Gen. M'Leod. So close was the pursuit to the notice, that the Patriot General and his officers had hardly more than escaped by the back door when Gen. S. rapped at the front door for admittance. Mrs. Neal being somewhat alarmed for the safety of the Patriots, was in no particular hurry to grant admittance.— However, the door was opened, the General politely enquired whether Mr. Neal was within. She replied, that he was not, but would shortly return. He then asked if she knew him.— Her answer was, that she supposed it was Gen. Scott.

"Well, then," said he "I presume you are aware of the business that calls me to your house, at this early hour."

"I cannot say that I am, General, but I might perhaps guess it."

"Will you then permit me to enter?"

"By all means, General," said she, "but you are rather too late, the eagle eyed birds of liberty have flown."

"Ah!" said the General, "can it be possible?"

"Quite so," said Mrs. Neal, "they are out of the reach of the lion's paw this time."

"That may be," said the General, "but perhaps not of the eagle's talons."

"I assure you, General, replied Mrs. Neal, "that I believe they are safely secured under the protection of its wings."

"Well, well, Mrs. Neal, I see the ladies, one and all, are the Patriot's friends."

"Indeed, sir, we are mostly all of us on this frontier the descendants of the Patriots of 76, and would willingly shield the Patriots 1838 from the cold chilling blasts of European despotism."

"Well, Mrs. Neal, I must be satisfied that they are not in the house before I leave will you permit these gentlemen to search the rooms?"

"They are at liberty to do so," said she.

After searching the different apartments, beds, cupboards,

cellars, chimneys, barns, stables, and yards, they reported "not found."

"This is too bad," said the General, "it is the third time he has given me the slip; but I'll have him if I have to depute every man on the frontier of Ohio."

"It is all needless," said one of his suite, "while the Patriot General and his rescuants have the ladies on their side, all the Marshals in Ohio can't take him until the ladies are bro't over. In Monroe they disguised him for a night in a ladies dress, in the morning they metamorphosed him into a negro, at noon they dressed him as a sturdy beggar, and shipped him off under our eyes, in an old crazy lumber sled, and he escaped the vigilance of all the Marshals. At Toledo, Capt. Allen, editor of a public journal, lawyers, doctors, and even magistrates, furnished him with means of escape. And here at Portland city, Mrs. Neal has been speaking to us against time, to give him another chance. I think it will prove a wild goose chase, General, to search for him any longer in this quarter, for every man, woman and child, is a patriot or the patriot's friend: we may, therefore, as well look for a needle in a hay stack."

"True," said the General, "he has, so far, with female assistance, eluded our grasp, but with all their characteristic cunning, or his military tact, he cannot escape, for he must have gone to Cleveland, either by way of Milan and Elyria, or by Huron on the ice. One of you proceed forthwith by the former route, and you, (addressing another marshal) remain watching here, until I return from Huron and depute marshals there. He has no way of escape but by one these routes."

During this time, Col. Bradley and Mr. Ashley, Adjutant Gen., being young and active men, soon reached the edge of the woods. Gen. M'Leod being rather corpulent and heavy, fell greatly in the rear, in attempting to keep up with them, puffed and blowed like a chased porpoise, bawled out.

"Bradley, you fly panic struck. I scorn running from an enemy as you do."

"A good reason why," retorted Bradley, "the action of your gravitation is too much for your propelling powers, otherwise you would, on this occasion, outstrip the van, besides your back is turned to the enemy as well as ours."

"Hush! hush," said the fatigued sweating General, "retreating in a straight line before a pursuing enemy is certain destruc-

tion. Incline a few paces to the left; wheel a quarter circle which will place you under cover of the thicket, and if the enemy is in blind pursuit, he will be unconscious of the manœuvre—pass unsuspectingly in our rear, and give us the opportunity of acting as prudence may suggest.”

This command, although given in jest, and almost out of breath, and, at the time, unconscious of its real merit, was promptly obeyed, and actually proved their salvation. In a few minutes afterwards Gen. Scott rode past on his way to Huron. Had they continued but a few minutes longer on the course they were pursuing, they would have been overtaken and made prisoners.

“Well, well,” said Col. Bradley, “I see General, you understand the tact of converting a rout into a safe retreat.”

“You will find,” said the Gen., “that the greatest battle ever won was by a previously well ordered and timely retreat.—Witness the battle of Waterloo. Had Wellington attempted to maintain his position at Quatre Bras, or retreated farther than he did, towards Brussels, in either case the destruction of the English army would have been inevitable. It was his masterly and timely retreat, not in a straight line, but by inclining to the left of the French army, and throwing Gen. Grouchy so far to his right, that he could be of no service to Bonaparte in the event of an attack at Mount St. Jean. It also placed him in the most convenient and formidable position to receive the French and keep them in check, until Blucher with the Prussian allies could join him. Had they retreated farther, Blucher would have had to contend with the main body of the French or fall back and permit the French to prevent his junction with Wellington, which in either case would have proved disastrous to the cause of the allies. Mark,” said the Gen., “by retreating in a straight line, for any distance before a pursuing enemy is bad generalship, and certain destruction, but by prudently inclining to either flank you give the pursuer a check and force him to move cautiously; particularly, in a hilly or woody country, for fear of your ultimately gaining his rear and turning his victory into a surprise and defeat. I might enumerate a number of instances where this was the case during the late French war, but our own circumstance on the present occasion however trifling, it may appear is a proof, of what a timely manœuvre can effect. Had Gen. Scott been our real enemy, his destruction from our timely and unperceived ambush,

would have been as certain as Gen. Braddock's defeat. But on the other hand, had we pursued the direct course we were on, Gen. Scott would have made us prisoners, nor could we help ourselves. Resistance would have only aggravated our case and rendered escape impossible."

"What," said Adj't Gen. Ashley, in a surly tone, "signifies battles fought and won by retreats or advances, while Martin Van Buren, the Dutch Kinderhook President of this great Republic, can out-general all other Generals with his obsolete French Genet neutral laws, which Mr. John Bull, cruel a tyrant as he is, would scorn to enforce on his subjects. Witness the case of Admiral Cochrane in the Spanish main, and the affair of Admiral Napier and his English crew in the Portuguese concern, as well as Col. Evans and his English troops in Spain. These nations were all at peace, and had neutral relations with old Mr. Bull, but he never issued proclamations to prevent their learning or retaining the art of whipping their enemies. Mr. Bull insisted in the House of Commons and in the House of Lords, spiritual and temporal, that Britons had a right to fight under the banners of any power that chose to employ them, provided they did not turn their arms against their own country. President Jackson, it is true, sent some troops on the lines between the United States and Texas, but it was to prevent Santa Anna, in the event of his defeating the Texians, pursuing them within the boundaries of the United states.

After the defeat of Santa Anna, hundreds of the Texians returned to the United States; not one of whom were ever harassed as we are, or taken up and tried for a breach of the neutrality laws. The Texians had not one grievance to the nine hundred and ninety nine which the Canadians labor under.—Nor were they oppressed by a foreign tyrannical monarchy as the Canadians are, nor were the citizens of the United States by proclamation forbidden to aid the Texians in their struggle for independence. Their war for independence was a mere struggle for the supremacy of one language over another. For Texas being then a part of Mexico was governed by republican institutions. But it was left for Van Buren to eclipse the rising sun of liberty in the North, while Jackson has had the extreme pleasure of seeing it rise in meridian splendor in the south without at all involving his neutral relations, with Mexico.—Van Buren is the sole cause of all our defeats, troubles, misfortunes and difficulties. Had he left us alone, as Jackson did the



Texians, we would, ere now, have been in good winter quarters in Canada, among the patriots and trodden down Republicans of that ill fated and oppressed country, raising their drooping spirits, and leading them on to victory and liberty. By his high authority, the executors of his neutral laws, the marshals and officers of the United States army, have robbed us of our arms and ammunition, and clipped our wings, to render us an easier prey to the voracious sharks of despotism. He is the first, and it is ardently hoped, will be the last President of these confederated States, who will ever again lend assistance to crush the efforts of the suffering sons of Freedom. Ever since Van Buren assumed the reins of government, the pecuniary and political concerns of the United States became changed into a state of sour crout fermentation, from the effects of which it will require the wisdom of Solomon to restore them to their former sound and healthy action. He has forced the votaries of Canadian liberty to swallow sour grapes, and has set the teeth of the true democracy of the country on edge; but the aristocrat will find to his mortification, at the approaching presidential election that he has been gnawing at files, and kicking against the best interests of the commonwealth. He will, also, find that the great body of the people, by the grace of God, are the sovereigns of this highly favored country, and not he—that he is the servant and they the master.”

Having finished this chapter of grievances, the Patriot fugitives deemed it prudent to take ground to the left, and accordingly marched ankle deep in water on the ice to an island in the lake, where they passed a cold, wet, hungry, and tedious day, without shelter—sometimes running and at others jumping to keep their blood in circulation. The Adjutant General amusing them occasionally with fine spun lectures on the American Constitution—its mal-administration by Van Buren—the sterling patriotism and military heroism of Gen. Harrison, the next expected President of the United States;—“Queen Victoria,” said he, “will find old Tip as tough a piece of hickory to deal with as the French found Jackson.” ‘For,’ said he, ‘Harrison loves the British tory embiciles as cordially as Sampson did the Philistines, when he slew a thousand of them with the jaw bone of an ass, and such is the very man we want. At the river Thames he taught them to dance to the tune of Yankee Doodle in double quick time, and before his term expires may also teach them to dance to the tune of ‘Over the water with Charley.’

In the shade of the evening they returned to the main land; and at nine o'clock, P. M. after a weary march of some hours through long grass and woods, they put up for the night at Mr. Winter's House, eight miles from Portland city, where they were courteously received, hospitably and kindly entertained. This gentleman is a patriot of the old Jeffersonian school, who had to flee from Canada during the last war, for refusing to take up arms against the Americans. His escape to Buffalo from the pursuit of the tory blood hounds, of that day, was nearly miraculous. He suffered and sacrificed much for republican principles, and consequently felt deeply interested for the safety of the proscribed, hunted Patriots.

He was so fearful that they would be apprehended, while under his roof, that, unknown to them, he placed his aged wife, grand daughter, and a large mastiff dog called growler, as sentinels, at regular distances, to guard against the surprise of the marshals, who had visited his premises the day previous. For this purpose growler was stationed at the edge of the woods, on the main road, about fifty rods from the house. This sagacious animal barked at every trifling noise. The grand daughter, a rosy cheeked girl of eighteen, took her post at the bars about twenty rods from the house, and passed the alarm as often as given by growler, to her grand mother, a lady of seventy years, who was stationed half way between her and the house; she also passed the word to the old gentleman, who stood near the house to give them the alarm in case of danger. About 11 o'clock, as the General went out to view the night, he heard a dog bark in the distance, and some person in the same direction warning another that some one was approaching, who warned the old gentleman. The General, on looking round, and perceiving Mr. Winters standing at the window, inquired what this affair meant. "Why, (said the old man,) we are fearful the marshals may come and take you by surprise. They were here at noon, and mistrusted that we had you somewhere in safe keeping, and hinted that they should visit us during the night." "But, (said the General,) you will all take your death of cold. If you persist in thus exposing yourselves, we will leave the house immediately." "No, no, (said he:) go in and make yourselves comfortable. I and the old lady would die of grief, were you taken prisoners while under our protection. The General went in; told Col. Bradley and the Adjutant General the circumstance, requesting the former to go and prevail on the old man to recall his female pick-

ets. As Col. Bradley was attempting to go, Mr. Winters stepped in, almost breathless, and without saying a word flew to the back window, raised it up, and with a stentorian voice called out, "Gentlemen, clear the coop; the marshals are on your heels." In an instant the patriots flew to the window. It was really laughable to see them press through. Bradley and Ashley, being spare and active, soon cleared the coast; not so the General, who had to drag his heavy length along. He, unfortunately, in the hurry of the moment, fell heels over head in a mud hole on the outside of the window; and on recovering his feet, ran with all his might, blowing like a wounded porpoise, until he reached the edge of the woods, where he found Bradley and Ashley comfortably seated on a log.

"Bradley, (said the General,) this creeping through windows, tumbling into mud holes, running through fields, and taking refuge in the woods in a cold winter night, will never do. As we are not permitted to give the enemy battle, or take him prisoner, let us send him a flag of truce, and endeavor to obtain terms of an honorable capitulation."

"A fig for a truce or capitulation, (said the Adjutant General.) That will consign us to jail for six months, or perhaps three years. One minute's liberty, in a cold swamp, is worth a thousand years of bondage."

"Just so, (said Bradley;) a stitch in time save nine—a good and timely retreat, in some instances, is as good as a battle won—he that runs away, may live to fight another day."

At this time, Mr. Winters, having ascertained the cause of the alarm, cried out, "General! come back. All is well. It is Dr. Evans, come to see you."

After returning to the house, and shaking hands with the Doctor, all joined in a hearty laugh, and after each had recounted his adventure through the window, and the outposts being called in, the parties retired to rest.

Early next morning Cols. Wilcox and Bacon, with Commissary James McKenzie, joined, after many hair-breadth escapes. Breakfast being over, the gallant Bradley took his final leave to join his family at Green Creek. Gen. McLeod and his remaining officers, having consulted for a few minutes, took up their line of march through the woods to the half-way house. Here his good genius once more favored him. On approaching the house, they entered by the back door, and unperceived by any one, walked silently up stairs, to a room in which he had formerly lodged. A few minutes afterwards

Mr. Johnstone, the landlord, came up on some trifling business, and on seeing the General so unexpectedly, stood gazing in amazement; at length he exclaimed, "General, you are in imminent danger; the marshals are below, and threatening to search the house." "Never mind, (said Col. Wilcox,) we have had many narrow escapes, and must do the best we can to escape again. You go down, and keep them in play; in a few moments I will follow and inform you, in their hearing, by way of news, that the General, on his way to Cleveland, slept last night at Milan, and was waiting for some of his officers to join him." This stratagem had the desired effect. They believed the report; mounted their horses and disappeared in hot pursuit.

The premises being now cleared of these government hunting-sharks, it was deemed advisable to remove head-quarters forthwith to Mr. Parish's in Bloomingsville, and there disperse in small bodies of twos and threes, that by the variety of their routes they might the more easily bewilder their pursuers.

On arriving at Bloomingsville, Cols. Wilcox, Bacon and Commissary McKenzie, deemed it necessary for them to depart immediately for the east by the way of Milan, in order to attract the attention of the marshals in that direction. After their departure, Dr. Carpenter, a whole souled patriot, regretting the unnecessary officiousness of the officers of a republican government, to apprehend a man whose only crime was his unyielding love of liberty and hostility to monarchy in any shape or form, felt deeply interested that the General might elude the ingeniously laid plans of Gen. Scott for his apprehension. The Doctor employed a few active young men to keep a good look-out during the day, as well as to prevent a surprise by night, until some means could be procured to forward the General safely to Cleveland.

Late in the evening, he received two despatches from the east—one from Gen. Van Rensselaer, dated 20th Feb. 1838, announcing the concentration of a large body of Canadians and volunteers on Hickory Island, for the ostensible purpose of attacking Kingston, urging Gen. McLeod to repair forthwith to that point—the other was from a Mr. Nickerson, dated Comstock's Inn, eight miles above Buffalo, 22d February, 1838, also urging him to make all possible haste to take the command of a large party forming in that quarter, to cross on the ice to Fort Erie. These despatches arrived nearly a fortnight to late; nor was it in his power, since the defeat



at Fighting Island and the affair at Point au Pelee, to comply with either request. For immediately after these disastrous events, he was harassingly pursued by day, and hunted by night, disguised and compelled to seek refuge in the woods and swamps. Had he been a horse thief or a murderer, he could not have been more perseveringly pursued. Such has been, and always will be the fate of unsuccessful patriots. Tyrants and despots may trample on law, and riot on the prostrate rights and liberties of their fellow men with impunity; but should a liberty inspired patriot boldly dare to resist their arbitrary and ill-gotten power, and prove unsuccessful in the attempt, infamy and death are his portion.

Early next morning, a friend from Portland City, informed the General that Scott had deputed marshals in every direction to guard against the least possibility of escape, and therefore recommended him to proceed to Huron forthwith, and from thence take the ice for Cleveland. While a team was getting ready to convey them to the former place, an express arrived from the half-way house, announcing that the marshals were on their track, and not more than a mile off. The General directed Mr. Ashley and the other officers to remain until the marshals came up, and if possible to send them on a false trail, while he, by the guidance of Mr. Byington, should take a circuitous route to Huron. After two hours heavy travel, through deep clammy fields, leaping over ditches and climbing over fences, they finally struck on the road, just as a lumber wagon was passing for Huron. The teamster readily granted the General a passage.

On arriving at a tavern some two or three miles from Huron, a gentleman, in great haste, rode up to the General and informed him that a marshal from that place was within half a mile of him with orders to arrest him, and directed him to alight and secrete himself immediately. The landlord, who was standing by, hearing the conversation, told the gentleman it would be of no use to secrete the General, as the marshal would search the premises; but, said he, he had better strip off his great coat and cap—put on an old pea jacket and slouched hat of mine—take an axe in his hand, and fall to chopping a log on the other side of the pile of wood on which the negro is standing, and by all means to keep his back to the house. The General had just got fairly to his awkward work, when the marshal rode up at full speed, and without paying the least attention to the chopper on the other side of the pile, entered the

house, looked about, and after a few moments close conversation with the gentleman from Huron (Capt. Robinson) mounted his horse, and rode off for Bloomingville. The General dropped his axe, and immediately directed his course towards Mr. Bump's Inn at Huron, where he exchanged his pea jacket and slouched hat, for his own more comfortable dress, which had been sent on. Shortly after Mr. Ashley and the other officers joined, and stated that the marshal from the half-way house arrived a few minutes after the General left; that Mr. Byington told the marshal that the General had returned to Mr. Winters by a particular bye-road, and he would be likely to find him there. Without any more inquiries the marshal directed his course to that place.

The next morning at day light, the patriots took their departure for Cleveland, in a wagon hired the day previous. Nothing of importance transpired during this muddy journey, until they arrived opposite a tavern in Ohio City, from whence a person suddenly issued, calling on the teamster to stop. The General, mistrusting his object, seized the reins and whip from the driver, drove the poor jaded horses rapidly down the hill and across to the Franklin House in the city of Cleveland. On alighting from the wagon, although muffled up, and literally covered over with mud and mire, the keen-eyed and generous hearted landlord, Mr. Harrington, instantly recognised him and ushered him into a private apartment, supplied him with refreshments, of which he stood greatly in need, and furnished him with a suit of clothes, while the kitchen boy dried and brushed his own. Towards evening the marshals began to make some stir. It was therefore deemed advisable by the General's friends to remove him to a private house, with which proposal he readily complied.

Early on the succeeding morning, some individual procured a private conveyance for him and the Adjutant General to Erie, which was gratefully embraced. Here ended the pursuit in Ohio.

Notwithstanding the extensive and deep laid plans of Gen. Scott, the vigilance and perseverance of the marshals, be it remembered that with the assistance of the ready wit, presence of mind, and ingenious stratagems of the male and female friends of Canadian freedom, in the Woolverine and Buckeye states, the patriot officers were triumphantly enabled to outmanœuvre the whole posse of Van Buren's "NEUTRAL LAW" preservers, thus convincing the framers and advocates of that

act how highly the majority of the citizens of these States disapproved of its principle. They considered it derogatory to the spirit and genius of the Constitution, to wink at one people struggling for liberty and crushing another for the like attempt. Generally, there are no people in the world more attached to the institutions of their country, or more inclined to the faithful observance of the laws, or more willing to assist in enforcing them, than the American citizens. But they urged that as the neutral relations of the United States were not enforced against the Greeks, Poles, or Texians, so neither ought they to be against the Canadians. The Texians had recruiting parties publicly in different cities of the United States, and even in Canada, neither of which governments thought proper to interfere. The Canadian leaders never attempted to set up such parties. Their only crime consisted in permitting a few citizens to escort them on their way across the lines.

## CHAPTER XXIV.

The Hickory Island Expedition, the further pursuit after Gen. McLeod, &c.

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The expedition got up at Hickory Island, by Col. Bill Johnson and Gen. Van Rensselaer, on the 26th February, broke up, for some reasons not explained, without attempting any demonstration whatever. It appears that if one half of the number assembled, had but marched boldly forward, Kingston would have been easily carried. The militia in charge of the garrison and fortifications were most of them patriots; who on learning the night on which the attack was to be made, spiked the cannon the evening previous, and made preparation to surrender the fort. Besides this, five hundred patriots from Bellville in the Midland district, officered and equipped, marched, on the evening of the expected attack to assist in the operations; but on their arrival within a few miles of Kingston, a messenger from Hickory Island informed them that the patriots had dispersed for want of a leader. This unexpected news was a death blow to many of them. They left their homes buoyant with the hopes of returning victorious, instead of which they found themselves compelled to disperse without an effort, and their leaders forced to abandon the country, to save their lives. Many of whom were arrested, tried and condemned. Thus ended a highly promising, but foolishly managed expedition.

The expedition got up at Comstock's, eight miles from Buffalo, terminated in a different manner. As they were preparing to cross for Fort Erie, Col. Worth, with a strong detachment of United States troops, reached their encampment on the ice, which the patriots supposed to be in Canada. On seeing them approach, the liberators, as they termed themselves, stood to their arms, determined for a fight, should Col. Worth attempt to molest them; but after a little *palaver*, they were finally prevailed upon to ground their arms. Col. Worth burnt their encampment; seized



four cannon, three hundred muskets, sixty rifles, seventy pikes, thirty kegs ammunition, besides swords and pistols. Success to the neutral laws ! they have done more good for Queen Victoria than all the tories in Canada ever did or ever will !!

Late in the evening of the 26th March, Gen. McLeod and party, after a fatiguing journey, arrived at Mr. Comstock's eight miles from Buffalo, exhausted in means and strength. As they were preparing, next morning, to proceed on their journey eastward, the General's old tormentors, the neutral law marshals, rode up. Mr. Comstock, on perceiving them, gave the alarm, ran out and kept them engaged until the General, Col. Wilcox, and Capt. Story got on the ice, and out of sight.

They had but barely settled at the Eagle tavern in Buffalo, when the marshals appeared again in full pursuit. Mr. Huntly, the landlord, put them on another track, apprised the General, and directed him to a colored woman's house, who washed for his family, in the south part of the city, where he would be perfectly safe until an opportunity occurred for going eastward. This woman, being a member of the Baptist church, Mr. Huntly placed the utmost confidence in her, and explained to her the General's case, and with the consent of her husband she agreed to secrete him for a day or two. Being much fatigued, he laid himself down to rest. This woman, in conversation with another, told her in confidence, that a Mr. McLeod, from Canada, was in her house, and in a hurry to get some washing done, which was the case. The latter instantly told her husband, who was a strong patriot. He supposed it was Sheriff McLeod, who figured so notoriously in the Schlosser concern, and, therefore, he immediately apprised Capt. Appleby, who had charge of the Caroline steam boat when captured and driven over the Falls by the British. He instantly collected a dozen stout young men, and supplied them with tar and feathers, to do the appropriate business. When they came to the house, one of them entered to ascertain whether the stranger from Canada was there. The colored woman became alarmed at seeing so many ; acknowledged the fact, and pointed to the room. A

young man entered, and after viewing the General, who was sound asleep, returned and told his companions that it was actually Sheriff McLeod, for he knew him by his whiskers. They rushed immediately in. The General awoke—one of them stepped forward to collar and drag him to the door. He resisted, and declared the first man that would attempt to lay a finger on him, would receive the length of his bowie knife. If, said he, you are the United States marshals, produce your authority, and I surrender—otherwise I warn you to keep at a distance. “We will soon let you know who we are,” said a bully looking fellow, attempting to close up. As the General put himself in a posture of defence, a Mr. Jourdan stepped forward and exclaimed, “Gentlemen, take care what you are about! This is not Sheriff McLeod. It is the patriot general, evading the marshals. If any one (said he, stepping between them and the General,) lays a finger on him, he does it at his peril.” The young men stood amazed, and being fully convinced, made the amende honorable, and retired.

Mr. Jourdan took the General to his own house and hospitably entertained him until it was found necessary to remove him to Mr. Bates’, who kept the sign of the Bull’s Head.

The marshals being on the alert, searching strictly for him everywhere, he was locked up for some hours in a narrow cupboard, without the power of lying or turning. As Mrs. Bates was passing his place of concealment, two marshals approached, and offered her ten dollars each if she would inform them where he was concealed—for said they, “we are satisfied he is in the house.” “If I could be bribed (she answered with apparent indignation,) to betray an honest patriot, for any sum of money, it would not be for so mean and paltry a sum as you offer.” The General (she continued) has been here this morning; but is, by this time far beyond the reach of either you or the influence of your insulting offers.” From this they concluded he had gone east, and immediately left the house.

In the evening the search was renewed more strictly; consequently the friends deemed it necessary to transfer him to the cellar of an uninhabited house. Here he spent

a most tormentingly disagreeable night. It seemed as if all the rats in the city had congregated to dispute the possession of the cellar. The bedding supplied him was of no use. He had to stand on the defensive all night. The cellar being pitch dark, it was impossible to see or guard against them. In the first part of the night, while he lay on his bed, they ran over and around him in every direction, squealing, chattering and fighting like a *drunken rabble of Canadian tories at an election*. Sometimes they would hold a truce of from ten to fifteen minutes, and then, as if all the evil spirits in the universe were let loose, would rush from every quarter to all quarters, tumbling and overturning every thing in the way. A little after midnight, about a dozen of the hostile vermin rushed over his body as he lay. Under the idea of being really attacked, he gave an involuntary leap towards the center of the floor and fell like a log. The scattering that took place, and the chittering, scolding noise that ensued baffles description. On getting up he found an old axe handle, with which he beat about, and kept a very unpeaceable possession of the floor until relieved next morning.

At 10 o'clock, A. M. a member of the Provincial Parliament of U. C. procured a passage for him in the cars to the Falls, where Messrs. Mills, Doyle, and some other exiles met, and accompanied him to Lewiston.

He had not been there over a few minutes, when some mischievous wag sent word across to Queenston that Gen. McLeod had arrived from the west with five hundred of the Navy Island patriots, and intended crossing that night, to take the place and attack Fort George. Expresses, to spread the alarm, were instantly despatched in every direction. The tory part of the community were seized with consternation. A deputation was sent to Lewiston to ascertain the fact, when, lo ! it was found that Gen. McLeod had come alone, and had gone to Lockport.

The personal narrative, so far introduced, of the sufferings of some of those who attempted to assist the Canadians, is not done to procure praise or excite sympathy for them, as individuals, but solely that the reader may have it in his power to judge, to some small extent, of the great

debt of gratitude which the Colonial authorities, and mother England owe to the American executive, in enabling them still longer to linger out the rickety, bayonet-propped government of the Canadas. Had the same facilities been given to the Canadian Patriots, that were given to the volunteers for Texas, the gallant men who crossed the line at different points, in small bodies, and at different times, might have rendezvoused, organized and crossed together:—and if they had—where would have been the red cross of St. George now? Would it have floated from a single fortress on this Continent? One victory alone was all the Republicans wanted, and the shout of that victory would have roused the whole Provinces in rebellion, from Lake St. Clair to Newfoundland. One spirit would have animated them—one heart and one soul—to lay the boundary line in the deep bosom of the Atlantic.

“Think nothing gained,” they’d cry, “till nought remains  
On Quebec’s towers—till freedom’s standards fly,  
And all be ours, beneath the northern sky.”

It was not to be so, however. This glorious result, the hope of which supported so many brave men through sufferings, of which but a faint idea can be had from these pages, was frustrated, not by the Colonial power, nor by Orange vagrants, but *by the United States’ Executive*, by the aid of its *troops* and *Marshals*.

The remainder of this personal narrative is necessarily deferred for another volume, which will appear at the proper time.

The state of the Canadas, at this time, was truly distressing. Government spies were spread all over the Province—neighbor in dread of neighbor—families divided and estranged—jails and other prisons filled to overflowing—confidence lost—the constitution overturned—the habeus corpus act suspended—martial law in force—military tribunals consigning the people to execution and banishment by hundreds—dogs, with their throats cut, were hung, in the dead of night, at the Governor’s and Chief Justice’s door, with superscriptions over them in blood. “Mathews and Lout”—“Vengeance cries aloud.” The Chief Justice, in dread of his life, obtained leave of ab-



science, and returned to England—business and commerce were prostrated—farmers and mechanics emigrating to the western States by fiftys and hundreds, and society was completely disorganized. Such was the unfortunate state to which the maternal care of Great Britain has reduced the Canadas.

On the 12th April, Colonel Lount and Capt. Mathews, two of the bravest of the Canadian Patriots, were executed by order of Sir Geo. Arthur. Petitions signed by upwards of 30,000 persons, were presented to him, praying him to spare their lives, but in vain. He and the compact thirsted for their blood. Capt. Mathews left a widow and fifteen children, and Col. Lount a widow and seven children. Lount was upwards of six feet in height—a fine, noble looking man, in his forty-seventh year. They behaved with great resolution at the gallows. The spectacle of Lount after the execution was the most shocking sight that can be imagined. He was covered over with his blood; the head being nearly severed from his body, owing to the depth of the fall. More horrible to relate—when he was cut down, two Orange ruffians seized the end of the rope and dragged the mangled corpse along the ground into the jail yard, exclaiming, “this is the way every damned rebel deserves to be served.” Mrs. Lount was for three months prevented from seeing her husband, by the monster, Head. When she was allowed to enter the dungeon, she saw him with his eyes sunk in their sockets, his face pale, worn down to a skeleton, and heavily chained. After the defeat at Montgomery’s, he had travelled hundreds of miles, through forests, rivers, swamps and desolate places, by night and by day; and at last, while attempting to cross Lake Erie, and once more in sight of his native shore, he was driven back upon the Canada coast, surrounded by a horde of negroes and Orange men—carried before the magistrates on a charge of being a salt smuggler, and was about getting clear, when Sheriff Jarvis came in and recognized him, and ordered his close detention. Mr. Charles Durand, then under sentence of death, gives the following account of these noble martyrs:—“Mathews always bore up in spirits well. He was, until death, firm in his opin-

tion of the justice of the cause he had espoused. He never recanted. He was ironed and kept in the darkest cell of the prison, like a murderer. He slept sometimes in blankets that were wet and frozen. He had nothing to cheer him but the approbation of his conscience. Lount was ironed, though kept in a better room. He was in good spirits. He used to tell us in writing, not to be cast down, that he believed Canada would yet be free, that we were contending in a good cause. He said he was not sorry for what he had done, and that he would do so again; this was his mind until death. Lount was a well informed man, a social and excellent companion. He sometimes spoke to us under the sill of the door. He did so on the morning of his execution! He bid us "farewell," and told us that he was on his way to another world. He was calm and serene. He and Mathews came out to the gallows, which was just before our window grates. They ascended the platform with unfaltering steps. Lount turned his head towards his friends, who were looking through the iron girt windows, nodding, as if to say, "farewell!" He and Mathews knelt and prayed, and were launched into eternity. A thrill of deep horror seized all present, except the Orange party." Thirty others were under sentence of death in the Upper, and about a hundred in the Lower Province. From this period, until 1839, the gallows of both Provinces were glutted with the blood of victims.—Even the inhuman Sir Geo. Arthur, became so sick at the repetition of so much gallows strangling, that, contrary to the earnest and hellish entreaties of the bloody compact, he commuted the sentence of many to banishment. So outrageous were these cravens, for the blood of the unfortunate Patriots, that Dalton, the editor of their organ newspaper, a demon incarnate, adjured his Excellency not to be led away with his finer feeling, by granting the royal mercy to any of them; but to order their immediate execution—that the gallows was hungry and longing for its prey, and ought to be satiated to a surfeit. In Kingston they gave out the job of strangling, by the dozen, to the lowest bidder. In the Lower Province the blood-thirsty military tribunals were consigning them, by scores, to the

scaffold. (The Montreal Herald boasted of their new gallows, which would hang seven at a time, comfortably, and ten at a pinch.) The petitions of thousands of the humane, the prayers of relatives, the sighs and imploring tears of supplicating mothers and wives, were alike disregarded and treated with contempt.

On the arrival of Sir George Arthur from Van Dieman's Land, as Lieutenant Governor of the Upper Province, it was currently reported, that he had orders from the home government to proclaim a general amnesty—redress provincial grievances, *as usual*, and release all political prisoners. In consequence of this the Patriots ceased from any further efforts, and were about peaceably settling themselves, to await the event, but instead of an amnesty—redress of grievances, or a release of prisoners, Mathews and Lount, contrary to all expectation, were executed with a barbarity which challenges a parallel in the annals of the most ferocious savages,—the country was scoured in every direction for suspected persons; and the dungeons daily tenanted with fresh victims. The prisoners sentenced to banishment were chained, ordered to Quebec, where their heads were shav'd, and then sent to Van Dieman's land and stamped with infamy.

The following extract from the London Examiner, will show the feelings with which the intelligence of the first executions was received there. \* \* \* \*

"The news from Upper Canada is bad, because bloody, We allude to the execution at Toronto of Samuel Lount and Peter Mathews, convicted of high treason, as having been concerned in the late disturbances. Four other persons convicted of the same crime, were to be hanged at Toronto, on the 30th of April, and seven at Hamilton on the 24th.

"There! Lord Glenelg!—such is the first act of the ci-devant Gaoler—the Col. Arthur of Van Dieman's Land; that Hell upon earth, whom you have sent to govern a free people. His conduct is precisely what might have been expected from a person into whose previous proceedings, for some excellent reason the Colonial Office would never permit a parliamentary enquiry, though they patronised and promoted him.

“It certainly was a tacit understanding, that a merciful use was to be made of the victory obtained by the government of Canada—that no bloody revenge would be taken after the danger was over. We are much mistaken if that government is not sowing the seeds of deep and due hostility to British rule, even in quarters where the disposition is towards loyalty. These useless executions are revolting to humanity. Such shedding of blood as this, is sowing the dragon’s teeth, for which we shall reap a harvest of ruined men. Even in Portugal, a general amnesty has been proclaimed to political offenders; but in Canada, under British rule, *they are treated as felons.*”

“We have private intelligence from Montreal, that bears evidence of the arbitrary disposition and leas of the government at present in authority there. On the 11th of April, the press and types of the *Vindicator*, were seized in consequence of the reprint of our articles on Canada, in the last number of the *London and Westminster Review*, and Mr. Larreque was in jail on a charge of having directed the sale of the article.

“These proceedings against the press are uniformly the resort of a *weak, unpopular, and cowardly government.*”

It was now ascertained, beyond doubt, that the new governor was instructed to carry out the barbarous measures of his mad, proscribing predecessor. They saw no hope of an amelioration of their distressing condition,—nothing but new pretences to further violence and arbitrary rule.—They saw their peaceable, unoffending neighbors and relations daily imprisoned, through the agency of secret informers, without the shadow of crime. They were satisfied that their lives and liberties were at the disposal of every villain who chose, from private pique, to give false information. Neighbors, who formerly lived on the most friendly terms, became estranged and dreaded to converse with each other. Fearing that their turn for imprisonment might come next; hundreds fled to the United States, where in conjunction with former exiles, they entered into plans to relieve their suffering countrymen, or die in the attempt.

For this purpose, they began to concentrate at different points on the frontier, where they considered themselves



less liable to be suspected by either government. A correspondence was kept with the friends in Canada, who were pressingly urgent in their demands for arms, that they might immediately attempt and occupy certain positions on the frontier as places of rendezvous.

To meet this demand, a party of 28 men, from the Midland District, assembled on the 29th of May, on one of the thousand islands, to capture some British steamer, to mount and man her for facilitating the transportation of men, arms and other material, from one part of the lake to the other. To carry this object into effect, they disguised themselves in the Indian costume, painted their faces, warrior fashion, with black, red and yellow colors. Having thus prepared themselves, late in the evening they dropt down the river in two long boats; one of sixteen, and the other of twelve oars;—cruised about until 11 o'clock, P. M., when the Robert Peel hove in sight, plying for Wells' Island, for fuel. The Patriots immediately landed about 80 rods above the wharf;—secured their boats, and proceeded through a dark swamp to attack her on the land side. Of the 28 men, only 13 got through in time. The rest through the *tartarian* darkness of the swamp, got bewildered and lost themselves. At first thirteen were considered too few to make so daring an attempt; but their leader remarked thirteen was a lucky number, a baker's dozen,—that the opportunity was good; if they lost it, they might not get another—that he was confident that by boarding her under a desperate pow wow, which from the stillness of the night, and their savage appearance would strike so sudden a panic in the crew and passengers; that the boat would be instantly surrendered.—These remarks had the desired effect. The signal to board was given—the terrifying pow wow raised—the woods re-echoed the howl. The captain and crew were panic struck, and fled in every direction. The male passengers, 52 in number, followed and the boat was taken without resistance. One of the crew, an Irishman, having recovered from his panic, stood at a distance, halloed out, “the devil saze the likes o’ ye, for ye’r worse than the Connaught rangers, wid ye’er ingin nager faces,—bad luck to yees!” “Remember the Caroline Pat,” exclaimed one of the Patri-

ts. "Is't Caroline Mahoney ye mane, ye nager spalpeen  
ze, fait and its notafter the likes o' ye she'd be looking."  
"Come aboard pat," continued the patriot, "and take away  
your duds." "Is't meself ye mane, ye blue thafe of a nager?  
The devil trust the like's o' ye,—do ye think I'll go aboard  
and see myself kilt wid such hathuns as ye are." 'The pat-  
riot attempted to get up to him,—“Ah bad luck to ye,” said  
Pat; “ist afther that ye are?—there's two can do that my  
darling;” and off he went.

The boat being unmoored, dropt down the stream. On  
attempting to work her, they found they had not sufficient  
hands, nor any one that could manage her engines. In  
this unexpected dilemma, they were for some time at a stand  
what to do, and finally, concluded, as day light was fast  
approaching, and no signs of the other patriots coming to  
their assistance, to offer her as a burnt offering to the shades  
of the Caroline, and depart to their rendezvous.

In the latter part of June, at the urgent request of the pat-  
riots in the Niagara and Gore Districts, a strong party pre-  
pared to cross from Lewiston, but as usual, the United  
States officers interfered, arrested their leaders, and frus-  
trated their design. In a short time afterwards, however,  
about thirty *resolutes* crossed to the Short Hills, determined  
to stand their ground. It was not long before they number-  
ed upwards of seventy men. The Canadian authorities mis-  
trusting that the discontented were mustering in that quar-  
ter, despatched a company of Lancers to reconnoitre. The  
Patriots immediately attacked and made the whole of them  
prisoners. Having no way to secure or maintain them,  
they were sworn to secrecy, and not to bear arms during  
the Patriot war, and dismissed. The alarm was soon spread  
—the regulars and black militia were ordered out—the  
Patriots were quickly surrounded, and after a show of re-  
sistance, were compelled to surrender to an overwhelming  
force. They were immediately afterwards tried and sen-  
tenced to be hung and quartered. All of them were reprie-  
ved, but sent into banishment, excepting Col. Moreau, their  
leader, who was barbarously executed. The sentence pro-  
nounced upon this martyr to Canadian freedom, by Judge  
Jonas Jones, a cruel, vindictive spawn of one of the Wyo-

ming murderers', was "that you, James Moreau, be taken to the jail from whence you came, and on the 25th day of the present month of August, you be drawn on a hurdle to the place of execution, and that you there be hanged by the neck until dead, dead ; then your body to be quartered"! The horror which this demoniac sentence inspired was the cause of the Salina meeting, and the first powerful stimulus to the Prescott expedition. To drive such a hellish power off the continent of America appeared to be doing God service. In the early part of July another, but a far more formidable party were assembling above Detroit; but the neutral law vigilance of the marshals, Gen. Brady, and his guards they were all dispersed while in the act of preparing to return to their own country. Nothing further of importance took place during the remaining summer months; only that the Patriots were leaving Canada by fifties and hundreds to purchase arms and ammunition for an active winter's campaign. On the 16th of September upwards of seventy delegates, representing different sections of Upper Canada met in convention at \_\_\_\_\_ to organise \_\_\_\_\_ propose measures ; form plans, and adopt a uniform course of procedure. Committees were appointed at different stations to receive and forward such supplies of military stores, as they might obtain, to such places as would be pointed out.

At this time, the state paid priests of the Canadas secretly hired themselves to the government, as spies, who supplied them with blank books, to record the names of the disaffected part of their respective congregations, for secret references. Sir Geo. Arthur, on examining these black lists, became alarmed at the vast catalogue of disaffected names, which each of them unfolded—wrote to the secretary of the Colonies, that there was no use in, any longer disguising the truth, that the majority of the people of Upper Canada were disaffected. Six of the Ryerson Methodist parsons, for the mammon of unrighteousness, Judas like, deserted the Canada conference, sold their flocks to become informers on the people to the government, and were rewarded for black bailing the people, with an ordination in the bayonet established church. £10,000 of the people's

money was squandered on these worthless eaves-droppers, and accounted for to their mock Parliament under the head of 'secret service money.' This system of espionage was carried on to an alarming extent. Informers were secretly posted in every village and hamlet on the borders of the United States, taking lists of those citizens who, to them, appeared favorable or unfavorable to British interests, and giving every other information that the Canadian, or British government required.

The hireling priest of Sant Marie, in the Lower Province, sent his black list to Sir John Colborne, on the 4th Sept. 1838 which represented the whole of his parishioners as rebels; requesting him to send troops to reduce them to obedience. Troops were sent, and mark the horrible result. After plundering the inhabitants, the defenceless females were compelled to suffer all sorts of indignities. A daughter of the late Lewis Rainville was ravished by these incarnates—the house having been pointed out to them by Charland, the vicar. The wife of a man named Malo, was alone in her house, when the soldiers entered and committed violence on her. Her ill treatment and fright occasioned her death. Her husband was not allowed to complain, and the villains are yet unpunished. Priests, officers, soldiers and all, were against him. Five soldiers forced into the house of Louis Gingrass, four of them seized his wife, and the fifth was in the act of insulting her, when Mr. Gingrass seized a bludgeon, and with one well directed blow, brought him senseless to the floor; whereupon the other four took to their heels and ran away. An officer and several soldiers returned to take away the wounded one: the officer reprimanded and threatened Mr. Gingrass; but he answered that he was ready to do the same to any man, who dared to insult his wife. The wife of Chas. Lemay, one of the very individuals who was instrumental in getting the troops to St. Marie, was most brutally insulted by them. The wife of Fanfu Delude was also treated in like manner, by five soldiers, soon after her confinement. She was insulted a second time, but succeeded in making her escape. A man named Joseph Bosquet, on his way to procure a physician for his wife, who was then in



a dangerous and critical situation, was wantonly detained as a prisoner by the troops: meanwhile his wife died in the greatest agony. But British atrocities were not confined to St. Marie. At Napierville the wife of Mr.—, the sister of Benoni Verdon, of St. Edward, who was then one of the state prisoners, under sentence of death, was violated, in presence of her child seven years old, by seven soldiers. This transaction took place near the priest's house, while the priest was most obsequiously bowing and scraping to his Excellency, Sir John, and informing against his parishoners. The wife of J. B. Plamondon, of the same place, was treated in the same manner.— These things are almost incredible, and too dreadful to speak of; but still the world could not condemn without a knowledge of them. Well might the patriotic, though tory Dean Swift, exclaim, that "the whole tribe of informers, whether priest or layman, are the most accursed, and prostituted and abandoned race, that God ever permitted to plague mankind."

The whole fraternity of state paid priests are a blighting curse to any people. The bawd that takes the wages of prostitution; the thief who steals your purse; the murderer who stabs in the dark, are less injurious to society than the clerical spy whom it nourishes in its bosoms to sting it into misery and death. A foreign power holds possession of Canada, and by means of its soldiery, forces the state religion on the people whether they will or not. The state paid priesthood are the organised spies of that power.— Meekness, poverty, humility, and benevolence are in their mouths, but avarice, malevolence, and mischief in their minds. The people of Canada have struggled to get free from bondage. The state paid clergy betrayed them like Judas. The French Catholic priests of the Montreal Seminary preferred their ill-gotten gold to the indurate tyrants of their country to butcher and hang the brave assertors of their country's freedom—while, in Upper Canada, every state paid priest, Catholic and Protestant, is prowling thro' the land, seizing, informing against, and obtaining the arrest of every honest reformer, whose firmness may have made him obnoxious to them. One seventh of all the lands in Upper Canada, is the bribe held out to these state pensioned spies, and the people are taxed to maintain them besides. A government that descends to prostitute the func-

tions of its high calling, to the degrading alternative of prolonging its universally loathed existence, by a recourse to the revolting practice of corrupting the clergy by bribery; ought to be swept away root and branch with the besom of destruction. Yet such is the government, and such the constitution of the hierarchy which the unsuccessful Sons of Liberty attempted to extirpate from Canada.

The Baptists of the Upper Province, however, have done immortal honor to their christian profession. Silver could not tempt, nor gold purchase them. They preferred poverty, to gold with pharasaical hypocrisy. They spurned it with that holy indignation which become the followers of him who said "My kingdom is not of this world."

Who was it that murdered the Lord of Glory? Search your bibles, and you will find it was the state paid clergy. Who was it that persecuted the saints with fire and faggot, from Constantine's time to the present? A state paid clergy. Who instituted the racking inquisition, to torture men's bodies for thinking differently from the priests? A state paid clergy. Who persecuted the pious Scotch Presbyterians with fire and sword, burnt their houses, and laid waste their fields? An English state paid clergy. Who drove the Puritans from England to North-America? A state paid clergy. Who have no bowels of compassion for the poor? You can inquire of Pat McGee who had his only pig sold to pay the clergy tythes? Who has done the most mischief in Canada? The clergy spies. Who robbed and plundered the widow of Rathcormac, and murdered her son? The state paid clergy of Ireland. Who swore a false oath, and informed the Canadian authorities that Gen. McLeod had declared he would join Papineau, and upset the government which compelled him to leave the Province? Bissel, a reverend state paid spy, who ate at his table, and freely partook of the hospitalities of his house for years. Who has done the most injury to vital religion? A state paid clergy. Who was the first tory, and who will be the last? The first tory was Cain, and the last will be the last state paid priest. Whence did the Orangemen come? From Ireland. What is their creed? To support church and state at the hazard of their lives and fortunes, and in Canada to prevent the free exercise of

the elective franchise and destroy the reformers. Who, after this, can impugn the cause of the suffering Canadians, without insulting the memory of the fathers of the American revolution of 1776, and the noble spirits whose patriotism carried it through. There is not one grievance or complaint enumerated in the Declaration of Independence, which the Canadians, at the outbreak, did not suffer—and many in a more oppressive form, who dare deny it? Who so bold as to controvert it? Let them turn to that instrument and show, if they can, one allegation of their ancestors against the tyranny of Great Britain, that the Canadians cannot reiterate. The truth is, that their list of grievances long and black as it was, was not a tythe to what the Canadians endured. If, as Van Buren said, it was disgraceful and nefarious to aid them; it was equally so to the French for assisting the Americans. Had the Americans received the sort of aid from other nations, which their officers, civil and military, gave the Canadians, it is likely their nation's birth would have been followed by its premature funeral.

Mr. Charles Buller, Lord Durham's secretary, asserted on board a steamer between Quebec and Montreal, that the Canadians were an injured and sorely oppressed people and that the loyalists, so called, had goaded them on to rebellion, that they had been treated in such a manner that he was surprised they had not had recourse to desperate measures much earlier; and that the first declaration he should make in his place in the British Parliament, on his return to England, would be to that effect. Lord Durham's report is a sufficient proof of this.

The American public, for several years, have had abundant evidence, that a very large majority of the people of Canada were determined to submit to this vassalage no longer. They have groaned, struggled, remonstrated, protested—ay, like slaves, on their knees—begged—implored and importuned, year after year, for redress of their grievances. But link has been added to link of the mighty chain of oppression:—the iron has been driven deeper and still deeper into their souls, until death became preferable to farther endurance. They tried to break the yoke, but failed. The causes of that failure are well known. They had the men

but they lacked competent leaders, arms, munitions;—almost every thing to make a revolution successful. The very fact that they entered into a contest with such a power, in such a condition, shows the desperation to which they were driven.— Though defeated, they will yet rally, better organised—better equipped, and more certain of success.

About the last of October and first of November, the Patriot leaders having apprised their friends in the different parishes of the Lower Province, assembled at Napierville, to the number of 600, under the command of Dr. Robert Nelson, and were actively preparing for a descent upon Montreal, with every appearance of success. At this time the British were at a loss how to act. They knew the country all round was hostile and the people betaking themselves to arms to join Nelson. The militia, excepting the tories, refused to turn out. They dare not march from Laprarie to St. Johns, to attack Nelson without a strong co-operating force in his rear. This could not be performed, but by water. The Englise had no vessels of their own, and without the aid of some American boat, they could not accomplish their purpose. But, unfortunately for Canadian freedom, an American citizen, (if it be not a sin to call him so,) Capt. Sherman of the Steamboat Burlington, relieved their despairing anxiety, proffered his aid, under the protection of the American flag, to assist in suppressing the rising spirit of Canadian liberty, by transporting eight hundred regulars, with artillery, to attack them in the rear, which was easily effected. Thus then was one of the most promising of all the Canadian efforts for independence, frustrated by a descendent (if he is one,) of those illustrious heroes who shed their blood in the revolution to free their suffering country from British oppression. This was not the kind of aid Lafayette gave Washington in the dark and dismal days “that tried men’s souls.” However, we are bold to affirm there is not, perhaps, another individual in the United States, except those in British pay and confidence, who would have aided the cruel oppressor, against the oppressed. At the very time this infamous transaction occurred, the inhabitants of the lake of the Two Mountains, Beauharnois, Belisle, Chambly and many other places were on their march, unarmed as they were, to join Nelson at Napierville. In consequence of Sherman’s treacherous conduct, the Patriots were compelled to fall back on Odletown, where the British troops, whom he landed in their rear, attacked them. After maintaining their ground for some time, with



the greatest gallantry, against the superior numbers of their better disciplined enemy, they were forced, after sustaining considerable loss in killed and wounded, to retreat across the lines. Sir John Colborne with a second army advanced and took immediate possession of Napierville, treated the Patriots who fell into his hands with unprecedented cruelty. 700 of the unfortunate men, who were on their way from different parts to join their countrymen in arms, were apprehended, chained and imprisoned in Montreal dungeons. Colborne proclaimed martial law; issued an order to convene a Court of murderers, and enjoined its members to give sentence "*according to martial law and the rules of military discipline.*" Many good and true hearted Canadians were sent to eternity by this court of scarlet murderers. In the gallant Dr. Cote's splendid house in Napierville the British red coats found the portraits of Washington, Jefferson, John Adams, Lafayette, A. Hamilton, Gen. Jackson, and some other great men of American birth. Sir John ordered them to be burnt, exclaiming amid the groans and hisses of the volunteers, "so perish all traitors." Such being the treatment, the mute representatives of the most eminent and distinguished characters that ever trode on this footstool, received from the British Tories of Canada. Cannot the American citizen read in it, his own and his country's fate should the British ever succeed against them by their gold and intrigues.

On the 11th of Nov. the whole of the back country above Laprarie, according to the Montreal Herald, "presented the awful spectacle of one vast sheet of livid flame; not a single rebel house has been left standing." The Herald further adds: "God only knows what is to become of the surviving Canadians, their wives and families, during the approaching winter, as nothing but starvation from hunger and cold stares them in the face. The history of the past proves that nothing but sweeping them from the earth, and laying their habitations level with the dust, will prevent renewed rebellions, south of the St. Lawrence. The Canadians in the rebellious districts, whose houses have been given to the flames, and who have escaped the bullet, the bayonet, or the prison, are doomed to perish in the woods." Col. Angus McDonell writes to Bishop McDonell, from Beauharnois, Nov. 19th:—"We proceeded toward Beauharnois by a forced march, burning and laying waste the country as we went along; and it was a most distressing and heart rending scene, to see this fine settlement so com-

pletely destroyed, the houses burned and laid in ashes, and I understand the whole country to St. Charles, experienced the same fate. The wailing and lamentation of the women and children, on beholding their houses in flames and their property destroyed—their husbands, fathers, sons and relations, dragged along prisoners—women perishing in the snow, small children frozen stiff by their side, or scattered in black spots on the snow—half grown children running frantic in the woods, frightened at the sight of friend or foe—and such of the habitants as did not appear, their houses were consigned to the flames, as they were supposed to be at the rebel camp.” One of these ill fated habitants had, the day previous, gone on some business to Montreal; on returning home he found his house burnt to ashes, and his wife and child missing. In the frenzy of the moment, he ran to an officer exclaiming:—“Ah! you burn my house, kill my wife—mon chere femme, mon petite enfant—me always good subject—no rebel, sacre Anglais—damn British—where ma femme—where mon enfant? Oh Jesu Marie;” and dropped senseless, for a few minutes, at the officer’s feet—he recovered ravingly distracted. The monster ordered him to be tied, and sent a prisoner to Montreal, where he kept continually calling on his wife and child to come to him. In a few days death put an end to his troubles. He died cursing the authors of his misfortunes to the last moment. His wife who it appears had gone to a relative’s upon hearing that he was sent a prisoner to Montreal, she with her child in her arms, proceeded on foot, and arrived at the prison door the evening before he died, but the cruel monsters would not permit her to see him, until he was no more. The loss of her property, the fatigues of the journey, and the death of her husband were too much—she lingered for a few days and followed him where tyrants cease to trouble, leaving a male child to revenge their deaths.

The Patriots of the Lower Province having been defeated, fire, sword and rapine marked the track of the unsparing conquerors. The Canadians attempted to give their country what the heroes of 76 gained for theirs—but some of the American presses maintained that their grievances, were not such as to warrant a revolt. Van Buren execrated them, and they were hung—hung as rebels and brigands by the same power that tried to crush the revolutionary heroes. The sons of liberty were shot, like dogs by martial law in the roads or reserved for a more cold blooded sacrifice—The troops who were incli-

ned to desert, were suffered to commit every excess, to attach them to the government. Maidens were violated and some (it can be proved) have died of treatment horrible enough to freeze the soul.

The devastated portion of the district of Montreal presented a most hideous spectacle. The woods were peopled with crowds of human beings, whom hunger and cold were horribly destroying. Sir John Colborne, after burning their houses to ashes, sent emissaries among them to order them to their homes. But where were their homes? As soon as these wanderers perceived a human being they buried themselves in the forests, and disappeared under the impression that they belonged to the Volunteers who plundered them of all they possessed. All these enormities, have generated a spirit of revenge among the Canadians which, although at present apparently stifled, will hereafter manifest itself in dreadful retaliation. The time will come when the Canadian Tories will, in their turn, ask mercy of those to whom they have shown none. It is coming as sure as there is a God in heaven. A house divided against itself cannot stand! It is impossible. Will the Canadians ever forget their slaughtered brethren, their burnt churches, their desolated towns, deserted farms &c.? Never. It is true appearances at present are rather against them. Their country is filled with armed men and bristling with bayonets, and what is worse, two thirds of the American press backing them up!—Notwithstanding, we affirm, that these are links in the great chain of events, which will ultimately hasten on the birth day of Canadian independence.

As not unfrequent in such cases, their first efforts for freedom proved disastrous. How could it be otherwise? Imperfectly organised, imperfectly armed, and cut off from all succor; victory to the Patriots was nearly impossible. Yet the chivalrous band which dared oppose itself to a disciplined army of more than three times its numbers, and possessing still greater advantages in the material of war must command the admiration due to intrepid valor. If history prove faithful, justice will be done by posterity to the memory of those noble assertors of liberty; the forlorn hope of a forlorn people, resolved to be free. An investigation of the prudence or imprudence of the outbreak in Canada, belongs solely to themselves. The consideration whether if successful, it would produce good or evil, is exclusively theirs. There is but one point, in which it can be legitimately viewed by those not immediately involved

in the consequences: that is, have the people of Canada a right to assume self-government, whenever they deem themselves capable to exercise and maintain it. With these calculations or miscalculations, others have nothing to do. A denial of this principle would be a vital arraignment of the motives of Washington, Franklin, Hancock, Jefferson, Lafayette, Montgomery Jackson, and other sages, soldiers and statesmen of the American Revolution. It would be a bestrewment of the graves of the departed great with contumely and reproach; a direction of the finger of scorn toward the few survivors of the immortal band who yet linger in a land they saved by their firmness and moistened by their blood.



## CHAPTER XXV.

### Attack on Prescott.

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Since the execution of Mathews, Lount, Mereau, and the wholesale banishment of the unfortunate asserters of Canadian liberty; the patriots on the confines of the Upper Province were making every possible exertion to make one more effort to free their country from the sway of the ruthless scourges, who were consigning their friends and relatives to the scaffold. The feelings and sympathy of the American people on the lines became, in consequence of these cruelties, deeply enlisted in the patriot cause; and citizens of high standing volunteered their services to aid the Canadians.

At a Convention of exiles, held the 16th of Sept. at ———, Gen. L. V. Bierce was unanimously elected Commander-in-chief of the Patriot army of Upper Canada, and entered immediately on the duties of his office. While engaged in concentrating his forces, and making other necessary preparation for an active winter's campaign, he received a communication from N. Von Shultz, of New-York, tendering his services with a company of Polish exiles. This offer was readily accepted, and an answer returned, with instructions to join the Western Division. On the receipt of this letter the gallant Pole collected his men, and started with them to join the General.

At this time, a Mr. Birge, of Cazenovia, without the knowledge or approval of Gen. Bierce, raised a party to attack Prescott; announcing himself commander in-chief of the Eastern division; prevailed upon Von Shultz, Woodruff, and Abbey to join him, under the pretext that the possession of Fort Wellington would give them the complete control of Upper Canada. Unfortunately for them and the cause, they consented; and this, unintentionally on the part of those ill-fated gentlemen, gave a death-blow to the successful execution of Gen. Bierce's more matured plans for carrying on the campaign in the west. Had Gen. Birge had the welfare of the patriot cause at heart, instead of assuming a separate command, and diverting Von Shultz and his party from their original destination, he would have apprised Gen. Bierce, and inquired whether

such a demonstration would operate for or against the general plan of operations. In lieu thereof, and regardless of consequences, he hurried on his brave men, if not to willful, yet assuredly to certain destruction. He could not have made a landing in a more unfavorable section of the Province. The first intimation that Gen. Bierce had of the existence of this contemplated expedition, was its defeat.

About the first of November, Gen. Birge and his gallant army embarked at Oswego, on board the United States steam boat, to put his plan into execution.

On the passage downwards, Von Shultz proposed in council to land the men at once on McPherson's wharf, at the upper end of Prescott: divide them in three bodies; the main body to be led by himself through the center of the town; the left wing by Col. Woodruff round the north side; and Col. Abbey the right wing on the south or river side; these divisions to unite between the fort and the town; from thence attack the fort, should the few soldiers in it offer resistance. He further proposed to station the steam boat and schooners on the river below the fort, to preserve a communication with Ogdensburgh, and bring across provisions, ammunition and volunteers. Thus he could have the fort, the town, and the river at his command, plenty of artillery, with what might be found in the fortress. This noble hero felt confident he could keep the British boats and troops at bay, until his swelled into an effective, well organized army, fit for more extended operations. He further added, as an inducement to the adoption of this plan, that he was fearful if the men were again landed on the United States' shore, in order to get an acquisition to their numbers, those on board would leave on getting a nearer view of Canada. These excellent plans were opposed and rejected by Gen. Birge and Eustes. They insisted on landing first at Ogdensburgh, and increasing their number as much as possible. The consequence of this was as Von Shultz foresaw. Gen. Birge, on landing, declared himself sick and unable to cross over. The sickness of the leader infected most of his followers, and instead of crossing with one thousand men, as might have been done had Von Shultz been permitted to execute his own plans, but one hundred and eighty landed at the Wind Mill point, and these were embarrassed by one of the schooners running aground, containing their artillery, arms, and ammunition.

During the whole of Monday, the 12th November, they held quiet possession of that part of Upper Canada, and until 8

o'clock next morning, when the alarm was given, "The red coats are coming!" Von Shultz started ahead, and called on his men to follow him, which command was cheerfully obeyed. The British, in the mean time, made a circuitous route thro' the woods, and deployed into line in a plowed field, where they made a stand, and commenced firing, which the patriots returned with deadly effect. The English made several attempts at their favorite charge, but were as often repulsed. They attempted to gain the shelter of the buildings, but were driven from these with great loss. They now took possession of a barn, but a party of the patriots went up in the very face of their fire, burnt the barn, and compelled them to retreat. After three quarters of an hour hard fighting, the British retreated, leaving the patriots masters of the field.

At the commencement of this day's action, the British, by their own official account, were five hundred regulars and militia. The patriots had barely one hundred and sixty fighting men. The British loss this day, as sworn to at the court martial which tried the prisoners, at Kingston, amounted to one hundred and eighty-two killed, besides the wounded. The patriots had seven killed, and some wounded.

They might now have passed over to the American shore unmolested, but they preferred holding out as long as possible to give the Canadians an opportunity to join them, believing, as the American shore was lined with spectators, they would not see them at a loss either for men or ammunition, without making some effort to relieve them. Hundreds of their comrades, and their sick GENERAL, remained at Ogdensburgh, idle spectators of their fate. When Von Shultz reflected that his commander-in-chief and so many of his sworn companions had abandoned him, and that the Canadians were unable to join him, and that the Orange militia were their sworn mortal enemies, he felt inclined to give up the contest, could he have done it with honor. But said he, "we cannot, while we are able to fight, leave the wounded to be massacred, without disgrace."

At this time the Paul Pry steam boat arrived. Von Shultz ordered the wounded to be embarked immediately; but before this could be accomplished, the British opened a tremendous fire; the men were ordered to their posts; the Paul Pry left and returned no more.

Col. Worth, with the U. S. infantry, and the neutral law marshals, would not permit man or boat to go to their relief.

He this day seized their schooners, containing their artillery, munitions, and stores. The heart sickens while reflecting on this brave band of patriots, cut off from all human aid.

The British, finding themselves so roughly handled, on Tuesday, and seeing they could make no impression on the patriot lines, sent to Kington for help.

On Wednesday, there was but little firing. On Thursday, there was some sharp skirmishing. At 10 o'clock, Friday morning, the British mustered five thousand regulars and militiamen; two large gun boats; seven steam boats, each of them armed with heavy cannon, mortars, rockets, carcasses, and every kind of warlike projectiles. To oppose this mighty host, the lion hearted patriots had only one hundred and fifty-two men able to bear arms, they had some artillery, but no ammunition to serve them. Col. Worth took it from them by virtue of the neutral laws, on the Thursday previous. At 11 o'clock the British sent a flag of truce to Von Shultz, requesting him to surrender. Von Shultz asked, in what character? The reply was, "As rebels." "Never," answered the whole-souled hero. "We prefer dying with our arms in our hands." It was, however, agreed that the killed of Thursday should be removed before the recommencement of hostilities.

At 12 o'clock, P. M. signals were made to the British armada on the river to approach within range of the wind mill.—These, with the five thousand troops on land, simultaneously opened a tremendous fire on the devoted Thoban band of patriots, making a terrible din, but little execution. Von Shultz had nothing to depend upon but his small arms, the artillery being useless for want of powder. However, nothing daunted, they kept up an unceasing, well-aimed fire, for three long hours, repulsing with deadly effect every attempt at a charge. A little after dark, for want of ammunition, fifty of the brave lads were compelled to surrender. Yet those who had cartridges still kept the din of battle raging; not a soul surrendered until he expended his last shot. At midnight, all but their heroic commander were taken. He took possession of the stone house alone, and fired so incessantly that the enemy thought it was full of patriots. At length they rushed in, and he jumped in their midst. They instantly pounced upon him, like a pack of blood hounds; tore the clothes from his back; robbed him of his hat, watch and vest. Thus terminated the most extraordinary engagement that ever took place on the continent of North-America.



The British engaged, including those in the gun boats and steam boats were forty to one patriot. In this memorable action the British lost 268 killed, as sworn to, as above stated, besides the wounded. The patriots had eight killed and a few wounded. British total killed from Tuesday morning untill Friday night, four hundred and fifty, besides the wounded. Patriot loss, during the same time, fifteen killed, besides the wounded.

The English boast much of their superior skill in the art of warfare. If the patriots, at the Wind Mill, have not taught them a lesson of yankee sharp shooting, they may rest assured, in the event of a war with the United States, of experiencing such genuine specimens of republican tactics, as will again extort Gen. Rial's exclamation at the battle of Chippewa, in 1814, "D—N THEM, HOW DELIBERATELY THEY NIP US!" As to their vaunted prowess on the charge, it is all a farce! We will here subjoin the renowned Orange Colonel, Gowan's report of the battle of Tuesday, as a superb sample of their invincibility on the charge. These are his words from his own newspaper, the STATESMAN: "As the left wing advanced, the fire of the enemy was so very galling, that Col. Frazer, seeing so many of the brave marines, and their gallant companions of the 83d falling, ordered the whole to charge. As we advanced many of our gallant men fell, among whom was the brave Lieut. Johnson, of the 83d. The ruffians were so securely planted behind the stone fences, that they stood the charge to the last moment. Col. Gowan received the bayonet of one of the brigands in the left hip, at the moment they forced him and his men to retreat!!!" What think you now of the British charge? Only consider one hundred and sixty undisciplined patriots repulsing the charge of fifteen hundred British! This account may appear ridiculously exaggerated, to the intelligent reader; but let it be remembered, it is the redoubtable Col. Gowan's report verbatim—who, by his own honest acknowledgement, preferred turning his back, and receiving a wound, in his posteriors, (which in his newspaper he called his hip), rather than stand his ground, and receive it like a man, in his front!!! If a handful of raw patriots, jumbled together by the accident of a moment, are capable of such gallantry, what may not the British expect when they come in contact with the U. S. troops?—who, if as well drilled and disciplined as those stationed at Cleveland, we may safely affirm are a match for the English regulars, man to man, at least, any where, wheth.

er under cover in the woods, or in the open field, as Chippewa and Lundy's Lane can testify.

The patriots, having expended their last shot, surrendered at midnight. The Canadian Orange militia behaved with the same brutal malignity which has always characterised them, when a prisoner has been in their power. They are composed almost altogether of the lowest dregs of Irish Orangemen. The brave patriots, after surrendering, were stripped by these cowardly wretches, and otherwise basely insulted. Immediately after surrendering, the British burnt four dwelling houses and two barns, in the vicinity of the Wind Mill, having previously plundered them of their contents, because they supposed the people friendly to the patriots. They shot a woman dead, who kept a grocery near the mill, because she furnished them with cider; at the same time shooting at another female, the ball passing through her under jaw. One of the few who escaped, declared that had it not been for the determined interference of the brave 82d regiment, Gowan's Orangemen would have massacred the whole of them. One of the officers of this gallant regiment, on witnessing the cruel conduct of these wretches towards the helpless prisoners, ordered the regulars to "fix bayonets," and in case those blood-hounds did not desist, to "run them through." About 1 o'clock, A. M. they were marched to Prescott, lashed together two and two, and embarked on board the steam boat Brockville. On Saturday night they were marched into Fort Henry at Kingston, with a long rope running between them; the gallant and immortal Von Shultz uncovered, at their head, with only his shirt, boots and pantaloons on.

"A young Scotchman, named Alexander Wright, whose mother, a widow, lives in Glengarry, was engaged in the patriot service. He was wounded in the arm and disabled; after which he attempted to leave the Wind Mill and seek a place of safety, where his wounds might be dressed. He jumped out of the Wind Mill window, near the spot where an Orangeman was loading his gun. He had just rammed down his cartridge, and without returning the ramrod, fired at Wright. The ramrod passed into the poor fellow's body, but not through it. He fell; and the Orange volunteers instantly stripped him, regardless of his entreaties, after which they tumbled him into a cart, sent him to Prescott, and put him on board a steam boat with the ramrod sticking in his body. His cries were piercing. In a few hours he died, and there was an end of his agony—

but not to their brutality. They tied round shot to his legs and threw him into the St. Lawrence, with curses and imprecations. Mr. Wright was a most respectable and very handsome young man. His death and usage excited feelings of deep and lasting regret.

Who can read of the courage and gallantry of these votaries of liberty; their barbarous treatment, cruel and unmerited fate, without dropping a sympathising tear at the untimely death of Von Shultz, Abbey, Woodruff, and Buckley, and the torturing punishment daily inflicted on their less fortunate compatriots, in Van Dieman's Land. If there are, in this nether world, any except the indurate Orangemen and conscience-seared Tories that can do so we envy them not their feelings.

The brave are always humane. Immediately after the action of Tuesday, Von Shultz wrote the following letter to Col. Young, the commander of the British forces at Prescott:

"I send you two of your wounded, because I cannot attend to them, and give them the care they require. In requital, I beg you to treat my wounded with kindness. If on your honor you assure me that we are not received by the people here as liberators, it depends on you to put a stop to further blood-shed."

Col. Young declined returning an answer, for the following reasons, viz: When the call to arms took place at Prescott, many refused to turn out—who were instantly marched into Fort Wellington, and there closely confined and cruelly treated, until some weeks after the patriots surrendered. He also knew that if the patriots could penetrate into the interior, the people would join them as the liberators of their country. He knew the majority were disaffected to the core.

This badly advised and unfortunately terminated expedition completely frustrated the execution of Gen. Bierce's better matured plans for securing the Western and London Districts.

Had Gen. Birge permitted Von Shultz, Abbey and Woodruff, with their six hundred men to join the north-western division, the campaign of 1838 would not have terminated

so disastrously. Gen. Bierce had been for weeks waiting the arrival of Von Shultz ; but hearing nothing of him, and fearing some accident might have happened, he hurried to Buffalo to ascertain the cause of the delay. On arriving there, nothing could be heard of him, and he returned greatly disappointed. Still ignorant of Birge's expedition, he knew nothing of it until he received the news of its unfortunate termination, which arrived at the very moment he was preparing to unfurl the standard of liberty in the Western District. At this time, he had about six hundred able bodied men, and numbers were daily flocking to his standard. Appearances, so far, were quite favorable—but one misfortune generally leads to another.

Gen. Brady, the Patriots greatest enemy, was enforcing the neutral laws more rigidly than ever. The British authorities informed him that a large body of Patriots was concentrating at Put-in-Bay ; when, obedient to the British call, he embarked instantly for Malden, chartered the boat Lady, and with her seized the Patriot schooner Victoria, loaded with arms, ammunition and provisions. This, with the disheartening news of Von Shultz's fate, so discouraged the men that about two-thirds of them returned to their homes. Gen. Bierce, however, proceeded immediately to Detroit, to hire boats, as the remaining part were determined to raise the standard of liberty in Canada, at all hazards. Shortly afterwards they removed and pitched their camp about three miles beyond Detroit. Bierce made every exertion to charter boats, but to no effect. The men became clamorous against him, for his want of spirit and zeal to carry out the object of their expedition. On the evening of the 3d December he appeared at the camp to explain to them that it was not owing to the want of either spirit or zeal in him, that they were not then in Canada ; but to the difficulty in the way of obtaining water craft. They insisted on crossing that night, or they would disperse. He reasoned with them, and remonstrated against so desperate an attempt in their then weak and unprepared state—destitute of artillery, munitions of war, and every other article necessary to carry on a successful campaign—that the British at Windsor, Sandwich and Malden, were well provid-



ed, and prepared to resist; that another failure would ruin the cause; that in a few days the ice would be strong enough to bear them, and by that time they would be fully prepared to cross, and take up a position wherever they pleased; maintain their ground, and give confidence to their friends. But the men had lost all patience, and believed the General had no intention of crossing at all. They branded him as a coward and traitor, and insisted on crossing that night. He replied, very coolly, that he was neither a coward, nor a traitor; but if they were determined to sacrifice themselves, he would go and convince them that he was neither the one nor the other; but the consequence of their temerity would rest with themselves. Gen. Putnam, Cols. Harvell and Scott coincided with the General. But the men were deaf to all remonstrances, and stigmatised every one who differed from them as traitors. Go they must, and go they did.

Early on the morning of the 4th December, these resolute men, 164 in number, including their officers, crossed a little before day light to Windsor, in a steam-boat obtained the previous evening. The barracks were immediately attacked, and after a few minutes obstinate resistance, they were carried and burnt. The result of this victory was forty prisoners and seventy-five stands of arms.

Elated with the success of their first rencontre, they marched for Sandwich. On arriving at an orchard, they were attacked by a strong party of regulars and militia volunteers, who were securely posted behind a board fence. The patriots rushed, pell-mell, into the orchard, where they were more exposed to the fire of their covered enemy than in their former position. Notwithstanding, they fought so resolutely and determinedly that the British were actually giving ground, when Col. Prince, with a reinforcement, came to their assistance. The patriots, having neglected to secure either flank, were soon thrown into disorder, and fled in every direction. Gen. Putnam and Col. Harvell were killed while attempting to rally the men on the retreat. The former fell with the Patriot colors wrapped round his body. Harvell was literally riddled with balls. When the savage volunteers called upon him to surrender, he declar-

ed that there was no such word in the patriot service, and defended himself with a large bowie knife to the very last.

In this action the patriots lost nine killed and four wounded, besides fifty-one taken prisoners. The enemy lost seventeen killed; twenty-six wounded; their large barracks and a steam-boat were burnt.

The British regulars who were engaged, declared that the patriots fought with a bravery and gallantry that would have done credit to the best disciplined troops; that their humane treatment of the prisoners who fell into their hands, and the great respect they paid to private property, while Windsor was in their possession, merited for the prisoners who fell into Col. Prince's hand a better fate than he doomed them to. This Prince of monsters, four hours after the engagement, shot in cold blood, four of the unfortunate prisoners who fell into his hands. Adj't Cheesman of the 2d Essex militia brought up a prisoner and surrendered him to Col. Prince, who ordered him to be shot on the spot. The man was first shot in the shoulder, and severely, though not mortally wounded—a second shot carried away part of his cheek—a third wounded him in the neck—after which he was bayoneted to death. The second prisoner, (who was wounded,) was brought into the town of Sandwich at least two hours after the engagement, and ordered to be shot on the spot. It was proposed to give him "a run for his life." This barbarous proposition was acceded to, and in an instant a dozen muskets were levelled for his execution. At this moment, Col. Wm. Elliot exclaimed, "*D—n you, you cowardly rascals, are you going to murder your prisoner!*" This exclamation, for one instant retarded the fire of the party, but in the next the prisoner was brought to the ground, he sprang again to his feet and ran round the corner of the fence, where he was met and shot through the head. His name was Bennett, an Englishman, late a resident in the London District. His death took place in the public street, and in the presence of several ladies and children. Another prisoner, named Dennison, also wounded and unarmed, taken after the action, was brought in during the morning. Charles Elliott, Esq., who was present when Col. Prince ordered

this man to be shot, entreated that he might be reserved to be dealt with according to the laws of the country ; but Col. Prince's reply was, "D—n the rascal ! shoot him !" and it was done. When Col. Prince reached Windsor he was informed that Stephen Miller, one of the patriots was lying wounded at the house of the Rev. W. Johnson. This man, whose leg had been shattered by a musket ball had been found by Francis Baby, Esq. Col. Prince gave the order for his execution. The wounded man said he was thirty-five years old, owned a farm in the town of Florence, Huron County, State of Ohio, and had a wife and a boy ; he talked about his wife and son, and wished that his wife might be written to. Soon after this a party of militiamen dragged him out of the house and shot him. Miller was wounded between seven and eight in the morning, and was shot at noon. He lay unburied all night in the street, and was completely disembowelled, and other parts of him eaten by the hogs !

Capt. Brodrick of the regulars left a prisoner in charge of a dragoon. Prince fell in with this prisoner ; ordered him to be taken from his guard and shot, which was done !

A party of Indians who were sent into the woods took seven prisoners. When they brought them out a cry was raised, "*bayonet them !*" But Martin, one of the Indian braves, replied, "No, we are Christians ! we will not murder defenceless prisoners !" But when these men were delivered to Col. Prince, he had them placed in a wagon, and when it reached an open spot opposite the barracks. he commanded them to be taken out and shot. On this Mr. James cried, "For God's sake do not let a white man murder those whom an Indian spared !"

Mr. Burnett, another Englishman, from London was crippled and lamed from a wound received in the battle by the bayonets of the tory blood-hounds of Sandwich, where the more than savage Prince ordered his serfs to shoot him down in cold blood ! One of the dastardly wretches fired and destroyed the side of his face ; breaking the under-jaw, and mutilating him in a shocking manner. The poor, wounded and bleeding creature was forced on again, and shot in the shoulder ; another shot was fired, when the

blood and brains of the unfortunate man were dashed against the door of the house of Mr. Cowing.

They left the bodies of those men, together with those killed in battle, on the street, until the hogs commenced eating them. They refused to allow the body of the brave but unfortunate Putnam to be removed to Detroit. His daughter, in company with a humane and respectable citizen, applied to a magistrate at Windsor, when this base and bloody Prince told the young lady, "*If I had the power, (said he,) I would have hung your father between two trees—quartered his body, and thrown it to the hogs!*" Horrible!! Contrast the conduct of the brave but unfortunate patriots, with those heartless wretches, and see the difference. The patriots made forty or fifty prisoners—among whom were Messrs. Baby and Mercer. Is there one man among them will say they were insulted or abused? Did they not respect private property? Did they abuse any of the inhabitants? Were they not in possession of Windsor long enough to have laid it in ashes, had they been disposed? Did they not save the children and furniture which were in the house adjoining the barracks which were burnt? Did they abuse women, or even molest a child?

After the battle a number of the wounded, and other patriots, sought refuge among the Irish and French part of the population. One of the officers, Mr. R. an Englishman, threw himself upon the protection of a whole-souled Irishwoman, in the absence of her husband. Are you a "*patriarch?*" said she. "I am a patriot," he answered. "Then, (said she,) its yourself that's safe enough—jist go into the cellar, and keep aisy." When her husband arrived, she informed him what she had done; he approved her conduct; visited the officer, and dressed his wounds; informed Mr. R. that he had a few minutes before secreted four others in different Irish Catholic houses, and that he was one of the militia appointed by Prince to search for the fugitive patriots, and bring them prisoners to him; but, said he, "bad luck to me, and the likes o' me, if ever Prince or the likes o' him, shall ever see one on whom Ned — gets his eye upon. Now, (continued this noble of nature's creation,) I must go and find more o' the boys, for they will be after



being cold and hungry, and may be I can save them." Off he went; and sure enough, returned with three more, a little after sunset. Here he kept and fed them on the best his house could afford, for six weeks. When they arrived at Detroit they were hale, fat, and hearty as porkers.

On one of his daily visits, he remarked to the boys, "now my lads, you have just a taste of how the English use the poor Irish." Back luck to them, said his wife, "my own dear fader was twelve years hid in a rock, for the fear ov them, after the battle of Vinegar Hill, and its myself that carried his vitals till he died."

Another instance of nature's noble creation. One of the patriots, being hotly pursued by the British troops, took refuge in the humble dwelling of a Frenchman, which happened to be at hand. It was early in the morning; the Frenchman had risen, but his wife had not. The soldier hastily asked, "Are you a patriot?" "Oui Monsieur," said the Frenchman. "You patriot too?" "Yes." The noble hearted Frenchman, in a twinkling, clapped a woman's night-cap on the soldier's head, and hurried him into bed with his *wife*, who was in the same room. The clothes were scarcely adjusted, ere the British entered in pursuit; but seeing only two *women* in bed, and the Frenchman up, they asked for the rebel they had seen enter before. The Frenchman pointed to the bush, through the back door, and away they went, "pell-mell, in chase after the rebel, who by the aid of his noble host and a canoe, was soon in safety on the American soil.

The battle of Windsor terminated as Gen. Bierce predicted, and with it all further efforts on the frontier; owing entirely to the ungovernable rashness of head-strong and inexperienced but brave men. They fought gallantly and behaved nobly, throughout the whole affair, it is confessed, yet the effort was a most daring one, and the event proved, as Gen. Bierce foretold, a wanton waste of human lives, without a single corresponding benefit. In every instance the Patriots were undisciplined and lacking in arms, and however willing they were to be placed under the rigor of military discipline, yet it was impossible to do so on either side of the line. Were they not men possessed of the most

sterling courage and confidence in themselves, they would never have attempted to face an enemy who had, at one time, numbered forty to one, and at no time less than six to one.

Since they failed, they have been most ungenerously accused, and unjustly regarded as a parcel of brigands, whose only object was plunder and rapine. Had they succeeded in achieving their independence, the manly conduct and sterling bravery displayed by them at the Wind Mill point, Windsor, Fighting Island, Point au Pelee, Navy Island, Short Hills and Toronto, they would be as much the eulogising theme of their opponents, as they are now the butt of their ridicule. But as they were not able to war, successfully, against Great Britain and the neutral laws of the United States, without regard to the intolerable oppression which forced them to arms, or the noble object they had in view, in releasing their country from the worst kind of monarchial tyranny, and the extreme scantiness of the means they had to accomplish their object, they are denounced as pirates, and heralded by a republican proclamation, as nefarious out-laws, unworthy of sympathy or protection. Von Shultz, Cols. Abbey and Woodruff, felt the dreadful effect of this uncalled for proclamation on a British scaffold, and the banished in Van Dieman's Land feel it every day.

What rendered it the more annoying to the chivalrous Patriots, was to be so branded by the descendants of some of those noble souls who, in other days, shed their blood in the same cause, for the same glorious prize; forgetting that they were also stigmatised with the same opprobrious and infamous tory epithets; but by a little timely French aid, they ultimately proved successful, consequently all the world joined in admiring their bravery, and converted the opprobrious epithets of pirate and brigand into that of patriot and hero. Had the Patriots received a similar timely aid, who could say that the twin star, striped banner of Canadian Independence, would not, at this day, be proudly floating in the breeze on the battlements of Quebec? It is not, therefore, the cause, whether it be good or bad, nor the object in view; nor the oppression which drove the people

to arms; nor the heroic gallantry displayed in attaining the object, that mankind, generally, either approves or condemns; but the success which crowns the end. The Texian concern is a fair specimen of this. They had no real grievances to plead, nor any to warrant a resort to arms.—The Canadians had, and that of the most oppressive kind. Nevertheless, the former, by a little assistance from the citizens of the United States, proved successful—their conduct was approved, and their independence recognised, even by Queen Victoria. The latter, although they were forced to arms, in defence of their constitutional rights, were debarred of every succor, pronounced nefarious outlaws, hunted, imprisoned and punished by the United States' government. They failed,—How could it be otherwise?—but not ingloriously. It was their misfortune—not their fault.

After a mock trial, to appease the raging thirst of the torries for Patriot blood, the lamented Von Shultz was hung on a gibbet, at Fort Henry, Kingston, Dec. 1838, in his thirty first year. He met his fate with the manly firmness of a Polish Patriot; breathing forgiveness to his assassins. In 1830 he pre-eminently distinguished himself in the liberating army of his own unfortunate country, under Gen. Uminiske, particularly at the battle of Jablonna and at Warwar, under Gen. Skrzynecki, who conferred upon him the Colonelcy and command of a regiment, for his intrepidity in charging a regiment of Russians, and compelling them to lay down their arms. He was about to be married to a lovely young American lady at Salina, N. Y.—was in good circumstances—had a superior military education—of very engaging manners, and highly esteemed by every person who knew him.

On the 12th Dec. Col. Dorephus Abbey suffered as another martyr to Canadian liberty. He was executed at Kingston—was a native of Connecticut—by profession a printer. Mr. Southwick said, "he was an excellent workman; became an eminent journalist in the State of New York; was frugal and industrious, brave, sincere, and enjoying the good opinion and respect of society." He was in good circumstances, and entered the Patriot service

without any other object than that of giving liberty to an oppressed people. Yet he, Woodruff and Von Shultz, were denounced by Mr. Van Buren as "nefarious out-laws, unworthy the sympathy or protection of their country."

Col. Martin Woodruff, deputy Sheriff of Salina, Onondago County, N. Y. was also executed at Kingston, Dec. 19th. His enthusiasm in favor of Canadian liberty was boundless. He went to Navy Island with aid to the Patriots; was ready to serve at French Creek, and exhibited great coolness and courage at the Wind Mill. The Kingston Spectator says: "He and Abbey met their end like true American Patriots, firm, cool and collected." The scene of his murder is thus described by the same editor: "This gallant soldier was brought from Fort Henry upon a carrier's rough train, attended by two priests, escorted by a party of volunteer cavalry to the jail, and soon after to the door leading to the scaffold, when the Sheriff read Arthur's warrant to execute him. He was then placed on the platform, the cap pulled over his face and the hang-man placed the rope to a hook in the beam over his head. The platform fell, and presented a revolting, disgusting and disgraceful scene. The knot, instead of drawing tight under his ear, was brought to the chin; it did not slip, but left space enough to put a hand within; the chief weight of the body bearing upon the rope at the back of the neck. The body was in great agitation, and seemed to suffer greatly. The spectators said it was shameful management, when two hang-men came out, endeavored to strangle the sufferer and not having succeeded, they returned again to their disgusting work." He further adds: "his neck was not broken till the hangman on the cross-tree, had pulled him up by the collar and let him fall four times in succession." After this, the inhuman brute struck his heels several times into the breast of the dying man!

The following "proposal" was issued a few days previous to these executions:

OFFICE OF THE PROVOST MARSHAL, }  
Kingston, U. C. Nov. 24th, 1838. }

Sealed tenders will be received at this office, until 12 o'clock, noon, Dec. 6th, 1833, from persons who may be



willing to contract for the hanging of such sympathisers, patriots, rebels, Yankees, and other vagabonds, as have been, or may be taken in arms, during the present disturbances, the tenders to express the rate per dozen, *York currency*, at which due execution of the law will be performed. The contractor to be entitled to charge for all odd numbers of malefactors, under a dozen, as if the dozen had been fully completed. A gallows to accommodate the individuals, will be furnished by the Provost Marshal; but carts, ropes, ladders, &c., to be found by the contractor!!!

VIVAT REGINA."

A government that could so unfeelingly trifle with the lives of its citizens, for asserting their natural rights, ought to be swept from the face of the earth. The peace of the United States—the welfare of Canada, demand that British control should be driven from North America.

The following is an extract from the Hon. Caleb Cushing's oration, delivered at Springfield, Mass. the 4th July, 1839, in which this point is thus enforced :

"But on the Northern and eastern frontiers of the United States, overhanging us from sea to sea like a lowering storm cloud, are the British Provinces, still dependent on Europe. That is the point of peril. There is monarchy in its worst form, that of forcible occupation, by a foreign prince, of a country whose natural position, and social constitution, and contiguity to us, impel it towards independence and freedom and self-government. There is the perpetual source of border difficulties ; for that long inland frontier of river, and plain, and lake, is utterly incapable of being guarded by fortifications or armies against the hazards of wars, or withheld from illicit commercial intercourse either in peace or war. Suppose New England and New York, to be separate nations, could any conceivable number of garrisons or custom houses, build up an impassable barrier between them? Impossible. And yet such is the relative situation of the United States and the British provinces.—And there is the pernicious fact, which forces us into the field of European politics, and gives to a European power control over us. The French wars were waged from Canada—the war of 1776 was urged from thence. The north

western Indian wars were waged from it. The war of 1812—the next, and the next, and the only foreign wars which we have cause to dread, will, if the present state of things lasts, be waged from Canada. For while the rest of Europe, if it would assail us at all, must assail us by sea, and can only strike at our ocean frontier, and will be impotent against us there by reason of the extent of our coasts which excludes the idea of blockade, and the difficulty of transporting great armies over sea, and the impossibility of sustaining them without a fixed and sure foothold on shore—while such is our relation to the rest of Europe, England on the contrary, has her great naval depots and military arsenals on our eastern and northern frontiers; and by the St. Lawrence and the lakes has an open avenue within the heart of the United States. Hence when we have been at war with her, the conflict has raged, not on the sea coast merely, but on the interior soil of New York, Ohio and Michigan, a region which ought to be as inaccessible to European armies, as if a wall of adamant was around it on all sides.

“But this unnatural condition of things cannot, will not last. The British Colonies are approaching to that maturity of separate strength which brings with it Independence. When they have reached that maturity, they will as surely sunder from the mother country, as the ripe fruit drops from the tree. Why should they cross the Atlantic for men to govern them? Why not govern themselves? Why should the flowers of their prosperity serve only to give honey for foreign drones to live on? Why should not the natural resources of their country be developed for the benefit of its own people? They must and they will be. There is no dominant and all pervading aristocracy in those provinces, to assimilate their condition to that of Britain. The natural tendency of their social condition is towards democracy, and assimilation with us, and that tendency is enforced and forwarded by the inevitable influence of our proximity to them. They have been misgoverned, grossly, wickedly misgoverned. There is no doubt of it. It is proclaimed by themselves; it is declared in the British Parliament; it is admitted by each successive Colonial Secretary ;

it is spoken out in language that cannot be mistaken, the language of insurrection and civil war. It is monstrous for Americans to deny that the Canadas have been misgoverned. It is idle, nay, it is perfidiously wicked for any body to deny it. I engage to exhibit a parallel of every one of the specifications of tyranny set forth in our declaration of independence, by the same or greater acts of tyranny perpetrated by Great Britain in the Canadas. Not that England is a worse mistress to them than any other foreign power would be.

“——— But colony and liberty are incompatible. They can no more exist together than fire and water. The Canadas have greater, far greater causes of complaint, than we had, when we belonged to Great Britain. Our colonial councils were elective, theirs are appointed by the crown; and that is one of the points at issue in their present troubles. We had town governments; they are forbidden to have them, because England considers, and justly, that town governments are so many nurseries of Freedom. We had roads, they have next to none; we had public schools, they have absolutely none; we had but a few foreign troops quartered upon us, they have great armies; we were permitted to bear arms, they are not; we elected our civil and militia officers, they do not; we had the collection and distribution of monies, they have not; we had a fair and impartial panel of jury, they have not; we, in short, possessed all the means and instruments which are withheld from them, through fear that if they possessed these means and instruments they, also, after our example, would instantly aspire to independence. At the present time, they are consigned to the tender mercies of military despotism, martial law, and occupation of the country by armed hosts of imported mercenaries. Their trustworthy public men cut off by the judicial murder of courts martial, banished or driven into exile. Their villages given up to sack and conflagration; their young men, some sabred in the field without quarter, otherwise murdered in cold blood, and without trial, after battle is over; their women violated; the bodies of their slain patriots left to rot on the ground unburied, or turned over to beasts to devour! God of justice where sleeps thy thun-

der? Is there no vengeance? Is there no vials of wrath to be poured on those incarnate demons, who do those deeds of ignominy and horror? Is it to be endured, does it not make the blood boil? does it not torture the feelings with racking pain that Europeans,—hireling soldiers of fortune, aliens to the land and its people, the base and sordid tools of transatlantic lust of power, should pollute the rich soil of America with such enormities? We shudder at the recital of these very acts of horror, when perpetrated by Turks in Greece, or by Russians in Poland.— Shall they happen at our door stone, and awaken no condemnation? They shall not, they will not, until the declaration of independence be expunged from our memories, and every sentiment of patriotism and freedom which hallowed the Revolution be extinguished in our hearts.

“When the time comes, as come it will, for those provinces to be independent, then will there be more complete unity of political principle on this continent. It will come ere long; for not England herself, or if England, not the provinces can submit to the military occupation of the Canadas as a permanent system of government. Or will the mother country reduce the colonies to a desert and call that peace? No, they will become free and their freedom will be for the common benefit of America. Independent, in close association with us, the navigation of the St Lawrence and the lakes, the atlantic fisheries, and the fur trade of the north west, each of us delivered from border troubles and controversies, and both possessed of similar political institutions; North America would then present one harmonious American whole, from the Gulf of Mexico to the Artic sea.”



## CHAPTER XXVI.

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### Further Executions at Montreal.

On the 15th Feb., 1839, Brigadier General Charles Hindelang was executed. He died as he lived—a generous and gallant Frenchman, the friend of the oppressed, the soldier of liberty. He was born at Paris, March 25th, 1810, and commanded the Canadians at Napierville and Odletown, Nov. 1838.

The day previous to his execution, his fellow prisoners prepared a dinner, to which were invited Messrs. Hindelang and De Lorimer, and Baron Fratelín. At the dessert the brave De Lorimer was called upon for a sentiment, and gave the following :

“My Country—May it never forget that brave men have sacrificed their lives on the scaffold. A Patriot I have lived, and a Patriot I shall die! Woe to tyrants : their reign will soon be at an end !”

After which Mr. Hindelang was called upon to give a sentiment, and he spoke in the following manner :

“Brethren in misfortune—I am nearly a perfect stranger to you all: my acquaintance with most of you is indeed very limited, and may be traced only to the camp at Napierville. But still, how can I account for the great attachment I feel for you all? if it is not because in common we all aspire for liberty, and because in common we are all the sons of the same mother—France! O France! thou which received my first breath; thy son, who to morrow shall die on the gallows in a strange land, is yet attached to thee! Yes; I cannot think of thee without shedding a tear; but it is the tear of affection. Adieu! land of the sage and the brave! I have not dishonored thee. I have been faithful to the motto of a Frenchman—‘DEATH RATHER THAN DISHONOR!’ I have taken up arms in favor of the oppressed against the oppressor. I have been unsuccessful, and have fallen into the hands of cruel, ungenerous, savage enemies, who know nothing about an honorable warfare. But they have not been able to conquer my feelings. I am yet devoted to the holy cause of universal freedom, and shall die with a conscience void of guilt, in regard to having lifted my

arm in favor of the Canadian struggle. Can the blood of so many valuable citizens be spilt with impunity? Will not the Canadians revenge it? And you, my dear brethren, who are in chains, whose wives and daughters have been polluted by the licentious British soldiers; whose homes, where once joy reigned with virtue, have been made desolate—shall not your cruel treatment be revenged? Yes: it shall be revenged! and I appeal to the justice of the Almighty; for his curse will surely rest upon a people who render themselves guilty of such crimes. I see some among you are shedding tears. Allow me here to borrow the words of him who was sent to save the world: “Daughters of Jerusalem, weep not for me, but for yourselves and children.” No, my dear friends, it ought not to be for me that you weep; but shed tears over the woes of your unfortunate country. As to myself, the deed will soon be done. Aye; before twenty-four hours, I shall be a lifeless corpse; but your country, my dear brethren, shall exist, either in happiness or misfortune. It belongs, then, to its sons to show whether they are willing to be freemen or the abject slaves of the British. But you have need of foreign aid. O France! hast thou forgotten that, on this side of the vast ocean, thou hast sons who yet speak thy language—who have religiously kept all thy customs? If thou hast not forgotten them, to their help then! Do not allow the haughty English to annihilate them in defiance of all treaties, and contrary to all rules of national equity! But my voice is altered. I think of your national woes, my dear friends, and at the same time my head is troubled with the phantom of my poor aged mother, when she shall hear that I have perished on the scaffold, in a foreign land; and that, too, by the merciless hands of Britons! O, God! grant her the necessary courage. My dear friends, let some of you write how firm and resigned I was to my unmerited fate; and tell her that I died like a Frenchman. Liberty cannot be bought too dear for your unhappy country, and I willingly, and with a contented heart, make a sacrifice of my life for your country’s cause. O! brave companions, (turning toward the other persons who were to suffer with him,) to-morrow is the day of trouble—not for us, but for our friends.—Your names—my name, shall be engraved in letters of gold on the altar of liberty. Now, my friends, I shall give you the following sentiment: Canada—I value not my life, if thou canst be once freed from English slavery. It is the sincere

wish of one who to-morrow will suffer death for thee. The day will yet come when thy sons will remember, in their days of jubilee, that Charles Hindelang, a foreigner, was a martyr for their sakes, and a victim of English hatred."

While these noble souls were seated at table, several British officers, and the editors of the tory papers of Montreal, came into the ward to have a glance at the victims, which a thirst for blood had doomed to a violent death, and to their astonishment, found these men, whom they expected to see in deep melancholy, seated at tables, and expressing the most noble sentiments of patriotism and liberty. During the speeches of De Lorimer and Hindelang, several of these tories were seen shedding tears. This heart-rending scene did affect them! and none but the most callous and conscience seared could refrain from showing marks of sympathy for the unfortunate subjects of British cruelty.

Mr. Hindelang wrote a letter to Baron Fratelin on the night previous to, and another on the morning of, his execution, as follows:

MONTREAL PRISON, 14TH. FEB. 1839.

MY DEAR BARON—In a few hours more, it will be all over with me in this world. We have just separated from each other. I have received your last and fraternal embrace, and yet a desire of still chatting clings to me. Let us then converse. The conduct of those who think themselves the masters of this country is really strange. I have just been told that the officers on guard here make a great affair of my courage, from having seen me at my ease at table. This does not surprise me; for in general that is a field of battle on which the English like better to fall than withdraw from. However, we must do them justice: for the loyal volunteers have over them the advantage, of joining to that quality a first rate talent for narration. For proof of this, I have only to refer you to the magnificent account of the battle at Odieville, as given by Lieut. Col. Taylor. Such pleasant lies can only come from under the wig of a courageous volunteer. Their reputation at the LONG BOY is great; and in that service Mr. Taylor deserves more than the rank of Colonel. It is quite pleasing to hear him relate how his brave soldiers acquitted themselves of their duty. The dear Colonel's fine dream, and the brilliant charges of his men did not wear out their shoes. We left Napierville in a body of between five and six hundred men; and as the Colonel is probably endowed with double vision, he sees in

that body between nine and eleven hundred. A few only of his men ventured out of their stone church; and nine of his men ventured to learn, at their own cost, that there were also brave men outside among the Canadians. It is really shameful that a man should dare to boast of such tribes. The whole body of volunteers is but a company of starvings, that eternally shout "God save the Queen," because they cannot get their living by other means. Do but show yourselves Canadians, and these paltry beings will be soon hid in the dust. I should like to see a few hundred such men as we know, and of whom there are many in this country, at the heels of these beggars. O, that it were so, but once; and all would soon be right. I can write no more, my thoughts run so fast. All I can say is, to-morrow we are to serve as an exhibition for these shabby rascals. O, I have a mind to laugh in their faces. I die content and feel the happy satisfaction of having done all in my power. They hang me, they say, to serve as an example. I hope it may be one! May every stranger bring to the cause as much willingness as I did, and the hanger shall be hanged—each one in his turn—that is but just. Baron, if one of these red-coats falls into your hands, show him the same road, that he may bring me news of you; but remember well, that I am a General, and that I require something good—at least a Colonel—if less than that I'll send him back to you. One grows tired of trifling. It is midnight; and at nine o'clock I must go. Adieu! I know you want a serious letter; but no man can be held to impossibilities. Our evening party was too stormy. Tear all this up, and let us say no more about it. I have awakened from my sleep, and recommence in the hope of doing better.

CHARLES HANDELANG.

MONTREAL PRISON, }  
Feb. 15th, 1839, morning, 5 o'clock. }

DEAR BARON—Before vengeance and cruelty shall have altogether destroyed the thoughts of a man who despises these sentiments, but who leaves them to his murderers, I wish again to communicate to you my manner of viewing things, though you already know it. There are persons who understand each other, and require but a glance of the eye for a word. The gallows claims its prey! An English hand has erected it! Cruel and savage nation! Arrogant and ungenerous people! In recalling to this unhappy country the ages of barbarity; surpassing them in atrocity, why have you not also preserved



all their usages? Torture is yet wanting to complete your joy! Ah! if you but dared! Are ye not masters? What fear ye then? One foul deed more can cost little for such souls. I laugh at your gibbet! I should laugh at your efforts to torment your victims! Liberty, O Liberty! how beautiful would it be again to suffer for you! How delightful would it be to make the Canadians comprehend the strength and courage your lovers receive while serving you! Awaken then Canadians! Hear ye not the voice of your brothers? It calls ye! That voice comes from the grave. It asks not for vengeance, but cries aloud unto you to be free. Will it! and it is done. Behold! behold ye English—this soil that ye tread, ye have bathed in generous blood! It will bear ye no longer. Race, accursed! passed is thy reign. When the brave Canadians shall awake, you, Baron, shall be with them. You will aid them, and I shall bless you—you, and all who shall act like you. And thou, O France! have not thy generous sons learned that here they have brothers? Recall then all thy well merited hatred against these English. Were it in their power, they would not spare thee. Adieu! dear Baron. Adieu! my worthy friend. By you, I shall be remembered. I shall live in your heart, as also in that of every generous friend. No! no! death, there is nothing fearful in thee! when long and glorious remembrance is left behind! My body to the butchers—but my thoughts and my heart belong to my family and to my friends! Be be happy; and never forget one of your good and faithful comrades.

[Signed.]

CHARLES HINDELANG.

A little before the time appointed for his execution, the Provost Marshal entered his cell, and informed him that he must be prepared. "I am already prepared for your butchery," said the noble sufferer. "I die with no remorse; and, thank God, my conscience is clear of all guilt." When the Provost Marshal came to pinion his arms, Mr. Hindelang became very much excited, and said, "Are you not satisfied with having tortured me when you took me to my trial? Look at these wrists, and see how I have suffered. But the work must be finished. THERE WILL BE A DAY OF VENGEANCE YET." The door of his cell having been opened, the first person he saw was one of his fellow sufferers, Chevalier De Lorimer, who in a loud voice greeted him with these words—"COURAGE! IT WILL SOON BE OVER!" Mr. Hindelang, in a cheerful and firm voice

answered, "Death is nothing to a Frenchman who dies in the cause of Liberty!" It is impossible for any one to describe the heart-rending scene that took place, when the other prisoners came to bid adieu to their unfortunate comrades. Shortly after, the prisoners were ordered to proceed towards the scaffold, which they did with that firmness which showed they were not afraid to die. On the scaffold, Brig. Gen. Hindelang came forward and addressed the multitude there assembled in the following terms:

"On this scaffold, erected by the hands of Englishmen, I declare that I die with the conviction of having duly fulfilled my duty. The sentence by which I am condemned to death is unjust. I willingly and cheerfully pardon those who have pronounced it. The cause for which I am about to be sacrificed is great and noble. I am proud of it; and do not fear death. The blood which has been spilt in it, shall be redeemed and appeased by blood only. May the responsibility fall on those who are guilty. Canadians! in bidding you a last farewell, I bequeath to you the motto of France, "VIVE LA LIBERTY!"

Thus was a noble, brave, and generous Frenchman sacrificed by the foes of freedom in a British Province, to appease the vengeance of offended toryism. Thus ended the precious life of a man whose philanthropy lead him to tread the paths of danger, and whose greatness of soul impelled him onward in the footsteps of the illustrious La Fayette!

With him suffered the worst that a cruel and barbarous government could inflict, in the bloom of youth, the brave CHEVALIER DE LORIMIER, descended of an ancient and honorable French family, and blessed with a lovely wife and three infants, the pride of his heart. He was thirty-five years old, a Notary Public of Montreal. When this gallant young man was cut down from the gallows, the following letter was found in his bosom, close to his heart, addressed to his poor, distressed Harriet:

MONTREAL, New jail, Feb. 15, 1839, }  
7 o'clock A. M. }

MY DEAR AND WELL BELOVED WIFE:—On the eve of my leaving my dungeon to mount the political scaffold already reddened with the blood of many victims who have thereon preceded me, conjugal duty and my own inclination prompt me to write you a word, ere I appear before God, the supreme judge of my soul. In the short space of time which has passed

from the day of our sacred union to the present moment, you have made me, my dear wife, truly happy. You have been wanting in nothing, towards me; all has been friendship, kindness, and sincerity. For all those virtues on your part I have never been ungrateful. On this very day, blood-thirsty assassins are tearing me from your arms; they can never efface my remembrance from your heart; of that I am well convinced.— They take away from you your support and protector, and the father of your dear unfortunate children. Providence, together with your friends, the friends of my country shall provide for them. They have not given me time to see my two dear little children, so that I could press them to my paternal bosom, and give them a last farewell. They have even deprived me of seeing my good old father, my brothers and sisters, to bid them an eternal adieu. A cruel thought!! Nevertheless I forgive with all my heart.

As to you, dear, you must take courage and impress on your mind that you must live for the sake of your unfortunate children, who will be greatly in need of the maternal care of a tender and devoted mother. They shall know no more my caresses and my cares for them. I assure you, my dear Harriet that if from the ethereal world, it were were permitted me still to aid and protect you, I should bind up your broken heart. I would soothe your sorrow, I would watch by day and hover round your pillow by night! My dear little children will be deprived of my caresses, but they will be doubly caressed by you, so that they may not feel the deep loss they shall have to mourn over. I shall see you no more in this world. O what a thought! But you, my dear Harriet, you may see me once more and for the last time; then shall I be cold—inanimate and disfigured—motionless in—death, the tears of my Harriet, the heaving of her bosom, the agony of her heart, I'll not witness; but the thought unmans me, I feel not for myself, for I am prepared—It is my Harriet! my own Harriet!! I finish by offering to the eternal God the most sincere prayers for your comfort and happiness, and that of my dear little children. Yesterday evening you received my last embraces, and my last verbal adieu. Nevertheless from my cold, damp and lonely cell, with all the preparations of death before me, I give you my last FAREWELL. Your kind and loving husband, chained like a murderer, and his arms soon to be pinioned, wishes you, my dear Harriet, happiness, if ever your broken heart can enjoy it. Be then happy, my dear and unfortunate wife, as also my

dear little children, it is the most ardent prayer of my soul—  
adieu my tender wife, once more adieu: and be happy,

Your unfortunate husband,

CHEVALIER DE LORIMER.

Mr. De Lorimer petitioned Sir John Colborne, for a reprieve of a few days, on account of professional business which he wished to settle before death—Sir John disregarded it.

With De Lorimer and Hindelang suffered Joseph N. Cardinal and Joseph Duquette. The latter were taken prisoners by the Caughnawaga Indians, who petitioned Sir John Colborne to spare their lives. They were gentlemen of irreproachable character, as will be seen by the Indian petition; but they loved liberty, and that was enough to doom them to the gallows.

PETITION OF THE INDIANS OF ST. LOUIS IN  
BEHALF OF MESSRS. CARDINAL AND DU-  
QUETTE.

*To his Excellency Sir John Colborne, Governor  
General, &c &c.*

The Undersigned, Indians,

Humbly sheweth: That we have been struck with grief in learning that our father had determined to put to death two of the prisoners that we have captured: Joseph N. Cardinal and Joseph Duquette.

We approach, then, our father, to supplicate him to spare the life of these unfortunate men. They have done us no harm. They have not imbrued their hands in their brethren's blood. Why spill theirs? if there must be victims, there will be enough besides them, of unfortunate men, who are a thousand times more guilty than they.

The wife and children of the one, the aged mother of the other, join their tears to our voice in imploring mercy from you.

The services that we have rendered her majesty; those that the Queen do yet expect from us, and which we will not hesitate to render her in proper time, induce us to be-



lieve that our humble prayer will find the road to the heart of your excellency.

And we shall never cease to pray unto the great spirit for the glory and conservation of our father, and for the happiness of his children."

This petition was delivered by an Indian Chief, together with the following letters; but the tories declared the gallows must be glutted; and Sir John was determined to give them a surfeit of the choicest victims. Neither prayers nor supplications—the weeping wife, nor the wailing mother, had any effect. Sir John and his lady disregarded all with perfect indifference. This monster told the Indian Chief that "a good character made a good victim."

Letter from Mrs. Duquette to Sir John Colborne, asking for the pardon of her son.

*May it please your Excellency:* The aged mother of an unfortunate son, whom tender age has brought on the verge of the abyss,—falls at the feet of your Excellency, with grief in her heart and a sobbing voice, to beg from your Excellency her son's pardon. To-morrow the fatal order, by which the thread of his life is to be cut, is to be put into execution. Must he die in the morning of his life? He who is the only support of the latter days of his aged care worn mother—he who is the only protection of his three younger sisters—he who is a perfect model of filial piety and fraternal love—he, who is cherished by all his friends! Must the young and tender head fall a sacrifice on the bloody scaffold? Must your petitioner with her remaining children, be reduced to beg for their daily bread? However abundant that bread might be, it would always be eaten in bitterness of soul, for it would come no more from the hands of a beloved son, an idolized brother! And all this because the unfortunate young man had allowed himself for a moment to be led astray and had given way to a storm which had enveloped so many of age and experience, No, no! your heart which has experienced the feelings of paternal love, must feel compassion for my situation.—You cannot disdain my prayer, the prayer of an unfortunate mother; and if you do not give me back my son, you

will at least commute his sentence, and give him time for repentance. You will remember that he has not spilled a single drop of the blood of his fellow creatures. You will not forget that he has already suffered—you will not forget also what your petitioner has suffered for him, when she was driven from her home by the fire killed by the hand of the incendiary. Pardon, which is a kingly virtue, ought to be your most noble pleasure. Pardon then my son; and all his compatriots shall join me in blessing your memory.—Pardon my son, and experience will teach the whole world that clemency and not rigor, is the nucleus of loyalty. And your petitioner will not cease to implore heaven for the preservation and glory of your Excellency, and for the happiness of your family.

L. DURAND, *widow* Duquette.

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# MRS. CARDINAL'S LETTER TO LADY COLBORNE, SOLICITING HER INTERCESSION IN BEHALF OF HER HUSBAND'S LIFE.

*My Lady*:—You are a wife, you are a mother! A wife, a mother, driven by despair, forgetting the rules of etiquette overstepping the great distance by which she is separated from your ladyship, is falling at your feet trembling with fear and her heart broken, to beg for the life of her beloved husband, and of the father of her five children! The death warrant is already signed!! The fatal hour is drawing nigh! To-morrow! alas, to-morrow! God! oh God! I have not the strength to look forward to a destiny so horrible. The very thoughts of it fill my soul with despair:—what will be the reality? Oh, I shall never be able to bear such a calamity! The blow which will cut the thread of his life, will be but one for us both. Happy would I be if another existence did not depend on mine!! But my unhappy child will never see the light! He will perish with his mother under the scaffold, where his father who deserved a better fate, had perished. O God! is it thus that thou punishest? No!! pardon this blasphemy! *Men only have recourse to such deep vengeance!* Men only cause the innocent to perish with the guilty,—guilty—what do I say?

and my husband, what has he been guilty of? The most that can be made of it, is that in a single moment of excitement, or rather a moment of weakness that lost him,—his sworn enemy, who had resolved on his death——— that same man, could not convict him of a single act of violence! must his blood be spilled; him, who far from spilling the blood of his fellow creatures, never injured any one during the whole course of his life? For it is an atrocious calumny to say that he brought other people to their ruin. Of a very timid disposition, and very little given to society—enjoying the pleasure of life but in the midst of his family, who adored him—he had no part in the agitation which preceded the last scenes of woe. It was then in his peaceable home that a sudden and unforeseen movement surprised him. Weak, he allowed himself to be led astray by a torrent against which the strongest man, would have resisted in vain. He made no victims—on the contrary he is a victim himself. This, his crime (if it is one), has he not already expiated? Has he not already suffered too much? and during the time that he was lying in his lonely dungeon, neglected by all, did we not, your humble petitioner and her children, suffer enough on his account? Once happy with him, although in the humbler walks of life, have we not been banished from our homes by the lighted torch of the incendiary? Have we not been stript of every article we had, even of the clothes from our backs? Have we not been reduced to live on the bread, given unto us by the munificence of the Almighty, through the hands of those charitable people, who for the sake of heaven take pleasure in dispensing to the needy those treasures which are put into their hands? And you my lady, what treasures has not heaven put into your hands? has it not given you immense influence over the mind and on the heart of one who at this moment directs our destinies? Do as the charitable people to whom I have just now alluded, turn those treasures to your eternal advantage and to that of your husband whom you cherish, and of those children who are your glory and happiness. Oh! humanity certainly is not banished from this land of vengeance—it must have taken refuge undoubtedly in the hearts of wo-

men, in the hearts of mothers as yours is. Humanity shall speak through your lips—it shall be persuasive, eloquent and irresistible—it shall stop the sword of death, now ready to immolate so many victims—it shall bring joy into the hearts of so many unfortunate beings; who dread the rising of to-morrow's sun—it shall be heard even in heaven, and shall be registered in the BOOK of life.

EUGENIE ST. GERMAIN.

*Wife of Joseph Narcesse Cardinal.*

On Sept. 29, the Buffalo, convict ship, sailed from Quebec to Botany Bay, with 139 of those gallant patriots, who escaped the gallows. In this penal colony the English government sends vast numbers of her subjects unto the most horrible slavery, insomuch that many hang and drown themselves rather than suffer under the stripes of their task masters. On board this British slave ship were 59 Lower Canadian prisoners, and about 80 others, chiefly American citizens, whose gallant and heroic efforts at Windsor and Prescott Canadian tyrants could neither endure nor forgive. After keeping them nearly a year in jails, giving them mock trials, sentencing them to be hung, drawn and quartered, Gov. Poulett Thomson wrote to Colborne to send them into perpetual slavery. They were heavily manacled, chained in couples, like dogs, conveyed to Quebec, a humiliating spectacle, put on board the slave ship, stript of their clothes, their heads shaved, canvass shirts put on them, their dresses made like those of rogues and felons. They were then, stowed away in the hold, like wild beasts, heavily chained! 103 of them have wives and 387 children!

Thus far the Canadian Patriots have been unfortunate. Death has cut some off on the scaffold—the field and in the jails; many of them are in chains in penal colonies, and still a greater number suffering in exile, their property destroyed, and their families abandoned without succor. But the wounds of their bleeding country shall be healed. After the disasters of anarchy and a bloody revolution, the peaceful Canadian, and the proscribed assertors of liberty, will yet behold on the borders of the St. Lawrence, the revival of liberty and happiness.



In the Upper Province, loyalty to the sovereign, from other causes, besides the continuous course of oppression and misrule, hitherto pursued by the British government, is fast decaying, even in the breast of those who from the instilled prejudices of an early education thought it criminal in the highest degree, to be otherwise than sacredly attached to the person of their sovereign, and with their lives to maintain the dignity of that article called a Crown. The notion of sovereign and subject, relatively considered, they regard, and very correctly, as implying an acknowledgement that the King or Queen or whoever sways the royal sceptre of Great Britain, has a constitutional, hereditary property in their persons. They are, also, aware, though possessed of a little more political privileges than the actual slave of the south, that by the laws of England they stand in a worse relation to their sovereign than a negro slave does to his master. For the Crown claims, and by a pretended constitutional right insists on the allegiance of its subjects, of every description, during their lives. Nor can the King grant the right of expatriation, without the action of Parliament. Neither can any act of the subject expatriate himself, or transfer his allegiance to any other sovereign, power, or potentate whatever—hence “once a subject, forever a subject.” Even the ultra Tories deprecate this claim of the British government, as contrary to the laws of nature, and now begin to feel and look upon it, as a sore and crying evil. The moment a British subject renounces and abjures his allegiance to the crown of Great Britain, and becomes a naturalised citizen of the United States, he is by virtue of the solemn contract entered into between him and the government, possessed of all the rights and immunities of a natural born citizen, and its protection guarantied to him as such, on the condition that he perform the same routine of duties required of the other class of citizens, in time of peace or war. But Great Britain disregards this protection so solemnly and sacredly vouched by the government of the United States. For in the event of a war between them, should any of this class of citizens be taken prisoner in the American ranks, with arms in his hands, he would suffer the penalty of death,

notwithstanding his citizenship, for daring to transfer an allegiance, which the laws of England declare to be perpetual. In consequence of this savage, slavish and everlasting claim of Great Britain on the person and allegiance of her bond subjects. Thousands, and thousands to the back of that, who would cheerfully aid and assist the government of their choice and adoption, to repel every invasion of the British, and volunteer to drive the last vestige of her sickening influence from the continent of North-America, will hold back, and look on as mere anxious spectators, nor can the government, we should imagine, from its inability to perform its part of the naturalization contract, compel them to take arms in such a case. This is a grievance which calls loudly for the interposition of Congress. A grievance, which, in time of war, the American government will feel the effects, if not settled before hand. In fact, it appears from recent events, that a citizenship in the United States whether of the natural or naturalized kind is no protection, either in war or peace. A number of highly respected and noble hearted citizens volunteered their services to aid the oppressed Canadians in their effort to throw off the galling yoke of bondage under which they labored. While thus nobly employed, some of them were taken prisoners by British bondsmen; the ex-President disowned them as citizens. Consequently, a number were hung, and many transported as felons for life. On the other hand, a gang of British desperadoes invade the United States, in time of profound peace; murder, maim, and slaughter unsuspecting citizens when fast asleep; board and burn an American steam-boat, in an American harbor. The case is laid before the British Parliament for redress. For two long years they declined acknowledging it as an authorized act of the government, until one of the midnight assassins is taken—a true bill of indictment for murder and arson, found against him, by twenty-three enlightened grand juryman—then Great Britain acknowledges the murderous act as done by her authority, claims the culprit as a British subject; demands his immediate release under an insolent threat of war in case of refusal! Notwithstanding the crime with which he stands charged, exceeds in magni-

tude and atrocity any of those for which the unfortunate American citizens were hung and quartered in Canada, in 1838 and '39. Are such bloody deeds, perpetrated on unoffending American citizens, on American soil, to be tolerated by the American government, while its free-born citizens are doomed to death or banishment by the despotic government of Great Britain, for nobly aiding the oppressed against the oppressor?

## CONCLUSION.

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The writer has endeavored, in the foregoing pages, to put the reader in possession of facts to enable him to judge of the condition of the neighboring Provinces. And although, in so doing, he freely admits his political predilections, and the bias consequent thereon; yet the reader may be assured, in glancing over the outrages which he has detailed, that "the half has not been told." A vast amount of it, is hidden from every human eye, except that of the sufferers themselves.

To say nothing of the destruction of human life in the field, or on the scaffold, yet the destruction of property—the outrages upon women—the rending of domestic ties—the lonely wanderings—the insults of licentious armed Tories and Orangemen—the midnight burnings; as in the District of Beauharnois, where, for twenty miles square, every habitation was destroyed in the depth of winter, and where hundreds of women and children perished in the snows—and, above all, the secrets of the *Prison House*. Who shall reveal *them*? Think of nearly two thousand of the best men in the Canadas, being in prison at one time; and in such prisons too! and not a few of them in cells, with scarce a blanket to protect them from the cold.

The untold sufferings of these men, in these Royal dungeons, like those interred alive in the gloomy cells of the state prison of France, may be imagined, but can never be described. They will be remembered when they share the fate of the Bastille.

"The Bastille;  
Ye horrid towers; the abode of broken hearts;  
Ye dungeons and ye cages of despair  
Which monarchs have supplied from age to age  
With music, *such as suits their sovereign ears*;  
The cries and groans of miserable men."

Then again, look at the exiles. How many thousands of them are there now along the lines, who may almost be



said to have no homes? They had a home once, beyond the Lakes and the St. Lawrence; and the *beneficent* government there, it is true, will now permit them to return. But to return to what? Do they want to see the drunken hounds of the faction in possession of their substance, and themselves the objects of scorn, as the acceptors of an insolent pardon? Not they.

They hope to see their own firesides again, to be sure; but not by means of John Prince's Amnesty Bill. They hope better things than that; "and for this hope's sake" they are willing still longer to endure. "They bide their time." They know that

"God moves in a mysterious way  
His wonders to perform."

and that "in proportion to the magnitude of events, does He give them the greater circle to move in."

One word to my fellow Exiles—

"Poor wanderers o'er life's stormy sea,  
How from wave to wave you're driven."

Yet "cheer up awhile."

"What though the field be lost?  
All is not lost."

Let us look at our affairs for a moment. Three years ago, Sir George Arthur wrote to his lord and master, the Secretary for the Colonies, that "Order reigned in the Province;" just as the Czar announced over the smoking ruins of Poland, that "Order reigned in Warsaw." He had driven us all out; and had made our homes desolate; our companions were in his jails; and he was laying the "flattering unction" to his soul, and crying, Peace, Peace. But where is it? Since then Colborne has gone home, with the blood of St. Eustache upon his soul. Bond Head, the major of the wagon train—where is he? Durham went home disgraced, and died, a broken-hearted man. Sydenham, after being delivered of that abortion, the "Union Bill," died also. And Arthur himself, the *ci-devant* goaler; the Col. Arthur of Van Dieman's Land, that "hell upon earth," whom Lord Glenelg sent to rule over us—where is he? Gone also. He began his career with dabbling in the

blood of Lount and Matthews; making in one day two widows and twenty-two orphans, whose tears, like the blood of Abel, cry from the ground; while he, with Cain's mark upon him, finds that "his punishment is greater than he can bear." And though last, not least, where is John Beverly Robinson, the American tory, who, with a sneer on his lip, pronounced the sentence of the law upon the proto-martyr Lount, at whose table he had often partaken? If there be a man upon earth enduring the pains of hell, *he* is that man. Verily, they have all had their reward; and yet this is but the first fruits of the vintage.

In the meantime "Order reigns in Warsaw!"

The drunken Major of the City Guards in Toronto, with his two hundred whiskered Pandours, as drunk as himself; five block houses in the heart of the city, with artillery in each; two brass pieces in the market-place; the windows of the Bank of Upper Canada planked up, and loop-holed for musketry; a fort full of infantry of the line to overawe the city; a police smelling into every corner, in search of secret meetings; the populace of the Province disarmed, and the scum of the population, whom they call their *militia*, guarding the lines; troops in every village and over-awing all manifestation of public feeling, and guarding the polls at their mock elections, and looking down with scorn on the unarmed yeoman and *habitant*, who look back upon them with feelings of bitter exasperation; and all this they call "Order in Warsaw!" Be it so.

Cheer up, then, my fellow Exiles.

"What though the field be lost?  
All is not lost."

But is the field lost? You *know* it is not. Here we are, where we were three years ago, like Scott of Thiristane, "Ready, ay, ready." The Provinces are suffering, politically speaking, a blockade; and what is play to us, is death to them. Like Pyrrhus of Epirus, "one more such victory, and they are ruined." Events are progressing which neither Mr. Fox, with all his diplomacy, nor all the money changers, who have intruded their tables into the Temple of Liberty, who assist him, can control. He may denounce us as "Canadian outlaws," and beseech the Pre-

sident, on his knees, to issue another proclamation, and to depute fresh marshals; and he may assure the world, over and over again, that "Order reigns in Warsaw." Let him; but, "Be ye patient."

And you, my fellow exiles, who, like me, came from the "Land of the mountain and the flood," how I rejoice when I remember that one-half of the three hundred prisoners in Toronto jails, in 1837 were Scotchmen. Remember Hagerman's second-hand insolence in the House of Commons, that "if St. Paul had been a Presbyterian, he would have been a rebel, for it was in the very blood of them."

Was it to endow a dominant Episcopal Hierarchy that our ancestors drew their good broad-swords on their native hills of Scotland?

Scotchmen, remember Bannockburn and Culloden, and the murders of Glencoe. Remember Wallace, and the 'false Montith.' Remember the Bruce, and how he cheered himself when an exile on Rocrin. Remember, too, that *revolutions never go backwards*; and, when you look upon your children, remember that the greatest mark of ignominy that can be cast upon an American of the present day, is to say—His father was a tory of the revolution!

Canadians! for upwards of sixty years you have borne with a patience bordering on servility, a continued series of insult and oppression, the bitterness of which none but those into whose souls the iron has entered can describe. Your prayers have been contemned; your fellow subjects, while exercising their constitutional rights, have been shot down more like dogs than men. The public lands, which you have rendered valuable by your industry, have been alienated, without your consent, to speculators; your school houses have been shut up; your halls of legislation turned into a banqueting house; and finally, your tyrants, by means of the Union Bill, have reduced your elective franchise to an engine of colonial vassalage, you have now nothing left you but either to declare yourselves men, and follow the example of the immortal heroes of '76, or tamely submit and suffer.

THE END.



















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